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THE TIMES



No. 65,268 TUESDAY MAY 16 1995

MPs urge Major to make reshuffle

Mawhinney in line for top Tory job

By Philip Webster, Political Editor

SENIOR Conservatives are advising John Major to appoint Stephen Dorrell as Health Secretary and Brian Mawhinney as party chairman in a limited reshuffle aimed at moving his two most unpopular ministers out of the firing line.

Virginia Bottomley, under pressure over her handling of the London hospitals shake-up, and Jeremy Hanley, who has endured a short but unhappy period at Conservative Central Office, seem certain to be moved to new jobs within the next two months.

As the Tories pondered ways of fighting back from their local elections disaster, the Prime Minister was also warned in a "very frank" discussion with backbench leaders yesterday that he must act urgently to put his Government back in touch with its natural supporters in the middle classes.

Under a "four-way shuffle" proposed by a number of Conservative MPs, Mr Hanley would take Mr Dorrell's job as National Heritage Secretary and Mrs Bottomley would be moved sideways, possibly taking over from Mr Mawhinney as Transport Secretary.

In a slight variation on the theme, Mrs Bottomley would go to the Employment Department, and Michael Portillo would become Transport Secretary. Conservative MPs and activists regard a reshuffle aimed at taking Mrs Bottomley and Mr Hanley out of the spotlight as a prerequisite for a political recovery.

Pressure for changes increased yesterday as members of the 1922 Committee executive met the Prime Minister for lunch at Downing Street. They were adamant afterwards that they had not raised the question of a reshuffle — which they said was the Prime Minister's preserve. But they admitted that they had called for marked improvements in the presentation of Government policy, the traditional



Mawhinney: skills as a communicator

Tory code for the removal of ministers considered to be performing below par. Sir Marcus Fox, the committee chairman, said: "We talked about all sorts of problems and what needs to be done to get the party back on course. We are particularly concerned that support has drifted away from us. Our concern is to get it back and to look after those who feel badly done by. We would be failing in our duty if we were not looking at where we were going wrong."

He added: "There has been no prime minister in my 25 years here who has listened more carefully. He makes a contribution and we were all extremely pleased at the way it went."

Sir Marcus was accompanied to Downing Street by a number of Tory veterans, including Dame Jill Knight, John Townsend and Sir Peter Horden. Although committee members were reticent about divulging details of the meeting, one said: "It would not be surprising after those results in the local elections if we did not have a very frank discussion indeed."

Some rightwingers are known to have pushed Mr Major for substantial tax cuts and a more sceptical line on Europe to put "clear blue water" between the Conservatives and Labour.

Others on the Right want him to adopt a much more radical agenda. Far-reaching proposals in a paper circulating in Whitehall include a drastic reshaping of the tax system to switch taxes on earnings and savings to consumption and pollution, laws to provide for the seizure and sale of all the assets of convicted burglars, and an obligation to teach British culture in schools.

The reshuffle is still expected in July, although some MPs are pressing Mr Major to bring it forward to the spring parliamentary recess at the end of the month. But ministers close to Mr Major say that such a move would look like a panic reaction to defeat in the Perth and Kinross by-election on Thursday week, and would mean ministers and their official staff having to readjust to their new roles while Parliament was in session, rather than during the quiet holiday months as usual.

Mr Dorrell, who has never seemed at home at the heritage department, is a talented performer who impressed during a spell as a junior health minister before the last general election.

There will be some reluctance on Mr Major's part to move Mr Mawhinney, who is regarded as having taken the steam out of some of the most controversial transport issues in recent months. But his skills as a communicator are felt by some key ministers to be sorely needed at Central Office, even though Michael Heseltine — who has been unwilling to take the job in the past — would be most Conservative MPs' first choice.

Mr Hanley, with his theatrical background, is regarded as an ideal candidate for the so-called Ministry of Fun. One senior Tory said: "In retrospect Hanley in Heritage and Mawhinney in Smith Square would have been a much better bet last time round."

Peter Riddell, and
Cocktail of ideas, page 8



Jemima Goldsmith arriving from London at Orly airport in Paris yesterday with her fiancé, Imran Khan

Singles make a quick run for cover

By Lin Jenkins

IMRAN KHAN, the former Pakistan cricket captain, and Jemima Goldsmith, his fiancée, yesterday escaped the furore generated by news of their wedding and flew to France.

The couple said that both their families thought their marriage, due to take place on June 20, was "absolutely fine", quashing speculation that both sets of parents would have preferred their children to find a partner with whom they shared a common culture. The former cricketer said: "We wouldn't be going through with it otherwise."

Imran, who has embraced charity work and is said to hold political ambitions, dismissed the suggestion that Miss Goldsmith, 21, would find it difficult to live in Pakistan with its strict Islamic code.

As the couple left Heathrow for France, Imran said: "There has been a lot of comment about that, but the only reason is that people don't understand. But in time they will know. Jemima is an intelligent woman. She knows what she wants. At the moment nobody knows about her."

The bride-to-be's father, Sir James Goldsmith, has a home in Paris.

Jemima's fate, page 14

Labour wants league table of bad judges

By Jill Sherman, Political Correspondent

LABOUR is planning to draw up league tables of judges as part of a reform of the legal system aimed at "sweeping away vested interests and restrictive practices".

The proposals, in a policy document backed by Tony Blair, include referring the legal profession to the Monopolies and Mergers Commission, requiring lawyers to provide detailed bills, and making judges retire at 65. The monopolies commission would look at the training, practice and structure of the profession to ensure that it is efficient and competitive.

Labour also wants to see "one-stop high street shops" with lawyers, accountants and surveyors working on the same premises. One of the most radical proposals in a document drawn up by Paul Boateng, the party's legal affairs spokesman, is to publish details of complaints against

judges in the form of league tables. The paper also proposes a judicial appointments and training commission with lay representation, including the appointment of more judges from an academic background.

The commission would be responsible for monitoring judicial performance. A member of the public would be able to file a complaint to the commission about a judge, for example, if he had made insensitive remarks in a rape case.

Complaints would be made

public and the judges named. League tables would show the number of times a particular judge had been referred to the commission and the number of complaints upheld. Party sources said that Labour had no intention of changing the constitutional arrangements for dismissing judges. However, they argued that if a judge had been complained about six times, and five of the complaints had been upheld, "it would be inconceivable" that the judge would continue to work in the same field.

The paper, to go to the party conference in September, calls for a three-stage reform: a shake-up of the profession; establishing the judicial appointments and monitoring system; and setting up a community legal aid system. A party official said: "We have made clear that a Labour Government will seek to submit this group of vested

interests to the rigours of competition and the market. Reform is long overdue."

Under the shake-up of the profession, Mr Boateng proposes that lawyers should be more accountable for their costs and provide a much more detailed breakdown of their bills for their clients.

In the longer term, Mr Boateng would also like to change the present system in which a client retains a solicitor who then briefs a barrister. He favours allowing the client to go straight to a barrister,

reducing costs and time spent. The document also gives detailed plans for making legal aid more cost-effective, by restricting the number of practices that can offer legal advice on certain topics. The Legal Aid Board would enter into contracts with lawyers, advice centres and law centres to provide legal advice.

Each body would have to bid for block franchises to provide a particular service, such as advice on housing.

Law, pages 39-42



AWAY-DAY OFFER

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Protest over Falklands stamps

By James Landale, Political Reporter

DISPUTES among nations rarely arise over the postage stamp. Yet Britain said yesterday it has formally protested to Argentina over stamps describing the Falkland Islands as the *Islas Malvinas*.

The stamps, bearing pictures of penguins, elephant seals and ducks from the Falklands above the words *República Argentina*, were issued last October, and immediately denounced by the British embassy.

Foreign Office officials said there were no legal grounds to force Argentina to withdraw the stamps, but that the Government's displeasure had been strongly registered.

Carlos Menem, the re-elected Argentine president, pledged at the weekend that he would continue a "diplomatic crusade" to win back the islands. The Foreign Office said sovereignty was not negotiable.

Menem pledge, page 10

Police reject guns and call for more protection

By Stewart Tandler, Crime Correspondent

POLICE yesterday overwhelmingly rejected the routine arming of officers on the beat.

In the largest survey carried out in England and Wales, four out of five officers voted against widespread arming.

The decision will calm the recent controversy over the general issue of guns to police. The survey of 74,000 junior officers was published by the Police Federation, which covers 124,000 officers up to the rank of chief inspector, on the eve of its annual conference in Bournemouth. Seventy nine per cent voted to maintain the status quo, while 11 per cent said they would not carry guns and more than half of this group said they would resign rather than remain in an armed police service.

Fred Broughton, the chairman of the federation, said the voting underlined the complexity of the issue and he pointed to the fact that 83 per cent called for greater protection through better training,

more marksmen and equipment such as bullet-proof vests.

He said: "There is no knee-jerk reaction to asking for more arming. The bobby on the beat faces sudden death routinely, as we are reminded on a daily basis. Help us to protect ourselves while we protect you. This proves once again that our police officers acknowledge the vital importance of policing by consent in partnership with the public, despite the risks they take."

Mr Broughton added: "Routine arming is [still] on the agenda but there is no majority for it."

The Home Office yesterday made no comment. Michael Howard, the Home Secretary, is due to address the conference tomorrow and is understood to be opposed to general arming. The Association of Chief Police Officers said they welcomed the vote and said that arming the police would be an irreversible step. The survey was carried out over

six weeks this spring by the Electoral Reform Society after a poll last year of constables found 46 per cent in favour of wider arming.

Officers in London, Greater Manchester, West Yorkshire, and Northumbria showed greater support than in other areas for general arming.

As the 1,000 federation delegates began to digest the survey, which will be debated today, Chief Inspector Geoffrey Williams, of West Mercia, said: "I am absolutely delighted. I think this is what the public wants."

Sgt Mike Bennett, leader of the Metropolitan branch of the federation, said he did not think the vote was representative because less than half of his force had voted. He said that all future recruits should be asked whether they wanted to carry guns and rejected if they did not.

Mitterrand allies guilty

Two senior figures in a former administration of President Mitterrand were found guilty of corruption charges.

Bernard Tapie was given a one-year prison sentence for buying a victory for Marseille, the football team he owned, and Henri Emmanuelli received a one-year suspended sentence for illicit financing of the Socialist Party. Page 12

Car auction house in \$350m sell-off

ADT, the conglomerate which owns the world's largest car auction company, plans to sell its European auction houses. Analysts expect the auction houses to fetch up to \$350 million. ADT has 57 auction centres, of which 25 are in Britain. Page 25

Rail fares cap

Rail fares increases are to be limited to the rate of inflation or below for the next seven years, Brian Mawhinney, the Transport Secretary, said yesterday as he looked forward to privatisation. Page 2

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Take your partners for the Cabinet reshuffle

Reshuffles are in the air. As the Commons ploughed through New Clause 2 of the Gas Bill yesterday, your sketchwriter daydreamed. A bold departure from convention in the reshaping of his Cabinet might reawaken our interest in Tory government. Mr Major has so little to lose.

The experiment this sketch has in mind occurred to me while watching that Vesuvius of popular rage, David Evans (C. Welwyn Hatfield). He often reminds MPs of the thoughts of Janice, his wife. She sounds pretty level-headed — which is more than can

be said of her husband. A week in which Evans stayed in Welwyn and Janice came to Westminster would not be a bad week for the nation.

So why can't Mr Major fashion his new Cabinet not from Tory MPs, but from their spouses?

Take Caroline Waldegrave. That the Agriculture Minister's wife is a strikingly handsome woman is the least of her strengths. Where William is dreamy, Caroline is decisive. Thoroughly businesslike, she runs the Pru Leith cookery school, the household, the family... and even buys her husband's clothes. Running



MATTHEW PARRIS

POLITICAL SKETCH

the Ministry of Agriculture, Fisheries and Food would be a doddle for her; and we pity Gavin Strang, her Labour Shadow, whom she would flatten.

The Spaniards wouldn't dare fish in British waters: Mrs Waldegrave's junior minister, Catalina Garel-Jones, would see to that. The promotion of Tristan Garel-Jones's dynamic Spanish wife to this post would be a master-stroke:

she holds great sway in Madrid.

Promoted from the back-benchers' spouses straight into Cabinet would be John Gorman. Where Teresa (C. Billericay) is abrasive, John is mellow; where she is shrill, he is gruff.

Out would go the TV lights; most problems could be solved by a quiet whisky with John. Mr Gorman would become the new Environment

Secretary, and appeal to himself over his Tudor renovations.

He would work well with Anne Heseltine at Industry and Carolyn Porlillo, Employment Secretary. Mrs Porlillo is already a high-flying executive headhunter, and brings practical experience to her portfolio. She is less of a prima donna than her husband (most women are). Clever and unsentimental, we should have less froth about the Monarchy, the Church and the House of Lords and no more hysteria about the EU.

Gail Lilley, a distinguished painter, moves into Arts and

Heritage. Beneath her, Ray Currie becomes Minister of Sport. Edwina's husband is a beer-drinking accountant and rugby player, with very good legs.

Among departments kept in the family, Education will prosper under Tom Shepherd's steady hand; while, over at the Foreign Office, Judy Hurd could soon sort out Helmut Kohl. And if glamorous Sandra Howard at the Home Office cannot soothe the anxieties of Britain's hard-pressed police, nobody can. Over at the Lords, Elspeth Howe will make a splendid House Leader. She has been

kept from Government for too long.

But the key to any Cabinet is the Chief Whip. I have considered Caroline Ryder for the post, but judge her too commanding a personality. Rebel Tories might get their windows kicked in. Besides, Christine Hamilton (Neil's wife) will be there as a junior whip to cuff ears where necessary. No, the Chief needs to combine tact, diplomacy, and a cautious, steady judgment. No prizes for guessing that Mr Peter Bottomley takes the job. With Mr B at the helm, Norma Major's Government is safe.

NEWS IN BRIEF

Nurse is held over deaths at hospitals

A nurse was being questioned last night by detectives investigating mysterious patient deaths at hospitals across Britain. Amanda Jenkinson, 35, was arrested after a police inquiry that began in February last year. Staff at Bassetlaw Hospital in Worksop, Nottinghamshire, became worried over "untoward" incidents in the intensive-care unit in which they claimed equipment had been tampered with.

Two of the six patients being treated in the unit died. In the past 16 months the investigation spread to seven other hospitals, among them Sheffield's Northern General, the Southmead in Bristol, Nottingham's City Hospital and medical centres in London and Tyneside.

Howard to curb abuse of evidence

Michael Howard, the Home Secretary, will step up his law and order crusade today by unveiling proposals designed to curb abuse of the rules on disclosure of evidence at trials.

Defence lawyers will be required to give the prosecution details of the case they intend to present. By making them identify the issues that will be disputed in advance, Mr Howard hopes to prevent "ambushes" of the prosecution during the trial and to save court time. Judges will be permitted to draw an adverse inference if the defence uses such tactics.

Baby hopes grow

Karen Louise, the baby born 12 weeks prematurely to Karen Battenborough, 24, who was left in a coma after a car crash, was yesterday said to be making progress but still causing concern. Doctors at Singleton Hospital, Swansea, said they hoped she would be able to breathe without a ventilator within days. Mrs Battenborough remains seriously ill but stable.

Homeless pledge

Homeless people sleeping on the streets are to be given more state aid to find permanent accommodation, David Curry, the Housing Minister, announced yesterday. He said that the Rough Sleeping Initiative, which has helped homeless people in London since 1990 at a cost of £182 million, would not be wound up as planned. It may be extended to other cities.

Victims named

Police have named the four men who died when their car skidded off a road into the Ladybower reservoir in the Derbyshire Peak District. The driver was Irfakur Hamid, 18, of Manchester. The others, all from Birmingham, were Sanjay Scheby, 19, of Handsworth Wood; Gordon Gohil, 24, of Edgbaston; and Nehal Mehta, 22, of Selly Park.

Six died in fire

A fire that killed a woman's boyfriend, her three children, and two children of a friend, was described as a ghastly accident by the North Hampshire Coroner. The blaze swept through the semi-detached house in Hawley, near Farnborough, Hampshire, early on Saturday, Julie Cole, 31, was the only survivor. The hearing was adjourned until August.

Arms ruling

The College of Arms is to allow married women to use their maiden coat of arms, whether or not their husband is entitled to a family shield. Wives had been barred from bearing arms but many ignored the rules. Harold Brooks-Baker, of *Barke's Peerage*, believes the decision "is a move towards women inheriting titles".

Treasury committed to 7-year subsidy

Mawhinney hails end of annual train fare rises

By ROSS TIEMAN, INDUSTRIAL CORRESPONDENT

THE Government reversed its decade-long policy of above-inflation fare rises for rail travellers yesterday, announcing plans to cap fare increases for the next seven years.

From January, commuter season tickets and standard fares will rise no faster than inflation for three years, under a formula unveiled yesterday by Brian Mawhinney, the Transport Secretary. For the following four years, increases will be pegged 1 per cent below any rise in the Retail Prices Index.

Dr Mawhinney said the announcement marked an "historic divide" marking "the end of the across the board regular real annual fare increases". In the past decade rail fares have risen by 22 per cent more than inflation. Dr Mawhinney said the arrangements would enable passengers to share efficiency savings from privatisation, while leaving private operators the freedom to develop promotional fares which could attract more passengers.

Labour called it a government U-turn which would require increased public subsidy for rail travellers, and asked why fares had risen every year before. Michael Meacher, Labour's Transport spokesman, said: "The only reason it is happening is because they want a few good headlines about rail privatisation."

The price cap will be imposed upon private rail operators who are expected to bid over the next two years for the right to run passenger services, and upon British Rail, which will continue to run

services until they are taken over by the private sector.

Ministers believe that limiting fare increases will help them to sell rail privatisation to the public. But industry experts say would-be train operators may have to be compensated by an increase in the £1.8 billion a year public subsidy. For the first time, the Treasury will be committed to paying agreed subsidies for seven years to come.

Roger Salmon, the Franchise Director, who will select new train operators, said the price cap would cover 60 per cent of fares. Private train companies will be free to set the price of first class tickets and discounted Apex and Super-Saver fares.

Price capping will be most extensive in London, Edinburgh and Cardiff, where many commuters have little

choice but to travel by rail. All standard season tickets, standard singles and unrestricted return tickets will be capped. The rail element of London Travelcards, which can also be used on buses and underground trains, will also be capped. If rail operators fail to reach agreement with London Underground and privatised bus operators on fare increases, Mr Salmon has the power to restrict rises to the rate of inflation.

Mr Salmon said train operators could earn the right to raise fares 2 per cent more than the formula if they achieved sustained improvements in service standards. Those who failed to meet agreed standards would have fares pegged 2 per cent below the formula.

In seven urban areas outside London, fares will be regulated by the Passenger Transport Executives, which already exercise controls on fares in exchange for subsidies: South Yorkshire, West Yorkshire, Tyne and Wear, West Midlands, Greater Manchester, Merseyside and Strathclyde.

Jimmy Knapp, leader of the RMT union, said the "U-turn by the Government" was a step in the right direction but one that exposed its "hypocrisy and political expediency". He added: "If the Government can do it [reduce fares] next January, why wasn't it done last January or the January before that?"

The Central Rail Users' Consultative Committee welcomed the announcement and said it marked a turning point in rail policy.



Salmon: cap covers 60%



Cherie Booth fixes travel arrangements in Bournemouth during a day of public speaking engagements

Booth urges WPCs to sue chief constables

CHERIE BOOTH, QC, yesterday urged police women to take their chief constables to court if they felt they were discriminated against at work.

The Labour leader's wife told a meeting of police women in Bournemouth: "Taking a police force to court takes a lot of guts and needs a lot of support. But we must set the limits of what is acceptable behaviour from male colleagues, and we must rally together to

do that." She told the meeting, part of the Police Federation's annual conference, that the police and the legal professions, both dominated by men, were filled with discrimination.

Earlier in London Ms Booth helped to launch a cinema advertisement to highlight the "frightening prevalence of woman abuse". She said that many people would find the advertisement shocking: it shows a man battering and

kicking a woman. But she added: "The abuse of women is shocking and it is a crime. No matter how much we ignore it, it will not go away."

The one-minute film, to be shown in 200 Warner Brothers cinemas this week, states that one in four women is physically abused by her partner. It has been made by Refuge, the charity that set up the world's first centre for battered women in west London in 1971.

Lung cancer care 'not up to standard'

LUNG cancer patients are not receiving basic levels of care in spite of one of the most advanced healthcare systems in the world, a cancer expert said yesterday.

The warning came only weeks after the Government promised to re-shape services so patients could receive more effective treatment. Jessica Corner Senior, lecturer at the Institute of Cancer Research and the Royal Marsden NHS Trust, said treatment quality depended on where you lived, especially for women with breast tumours.

She added: "Lung cancer patients in Britain, with one of the most advanced healthcare systems in the world, with the most comprehensive palliative care services, are not even receiving the basic care that any of us would assume is a basic right in a civilised society."

Letters, page 17

Health minister booed by nurses on eve of strike vote

By JEREMY LAURANCE, HEALTH CORRESPONDENT

THE rift between nurses and the Government deepened yesterday as angry union representatives prepared to step up their pay campaign. Members of the Royal College of Nursing jeered and heckled Baroness Cumberlege, the junior Health Minister, at the opening of their annual congress in Harrogate.

Repeatedly harangued and interrupted, Lady Cumberlege struggled to make herself heard as she defended the Government's decision to introduce locally-determined pay. Nurses are bitter that they have been offered a one per cent pay rise nationally, with up to a further two per cent to be negotiated locally, when doctors were awarded national pay rises of 2.5 to three per cent.

They scorned Lady Cumberlege's assertion that three-quarters of National Health

Service trusts had offered the full three per cent rise and dismissed with cries of "rubbish" her claim that local pay had brought some nurses rises of up to nine per cent. "We believe the future lies with local pay. Our centralised pay system has shown no sensitivity to what happens on the ground," Lady Cumberlege said.

At a time when traditionally militant unions are cowed, the historically moderate Royal College of Nursing is squaring up to the Government. Today 2,000 delegates will pass one of the most significant milestones in the union's 80-year history when the annual congress votes on whether to abandon its no-strike rule and replace it with one allowing "limited" industrial action: disrupting administration but not harming patients.

If the proposal succeeds and

is ratified in a ballot of all 300,000 members, as college leaders expect, it will mark a breakdown in the consensus that has kept the peace with nurses since the NHS began.

Lady Cumberlege told reporters she viewed today's vote "with great sadness and sorrow". She dismissed the college's pledge that action would not harm patients. "Virtually everything nurses do does affect patient care," she said.

Baroness Cumberlege said yesterday that the community care policy was failing to provide adequate support to elderly people in their own homes. She said that the policy of providing care to enable elderly people to live independently was the greatest challenge facing the welfare services. "For some it isn't working and for some it is. We have to do better," she said.

Charities query Motability profits for banks

By NIGEL WILLIAMSON
WHITEHALL CORRESPONDENT

CHARITIES are worried about the financial operation of a scheme set up in 1977 to help disabled people to use government-funded mobility allowances to purchase cars.

Their concerns centre on the relationship between Motability, a charity that helps disabled people lease cars adapted to their needs, and Motability Finance, a non-charitable limited company jointly owned by six high-street banks, which finances the operation.

Under the Motability scheme disabled people lease cars by having their allowance of £32.65 paid direct to the charity for three years, which then uses

its purchasing power to negotiate up to 40 per cent discounts from car manufacturers. The initial purchase is funded by Barclays, NatWest, Midland, Lloyds, the Royal Bank of Scotland and the Bank of Scotland and then paid back over three years.

Since its inception more than 200,000 disabled people and their families have benefited and Motability's fleet of over 220,000 vehicles is one of the largest in Europe. John Major will today hand over the keys to the 500,000th car delivered under the scheme.

The Motability charity said that it made profits last year of £8.6 million, but no figures have been released showing how much the banks have

made. Some charities believe that Motability profits should be used to reduce the price of new cars to disabled drivers. Charities fear the banks are making unreasonable profits out of the scheme and are, in effect, exploiting state benefits paid to disabled people.

The National Audit Office is due to report in the autumn on the charity. Although its investigation was initiated over a year ago as "a routine inspection audit", Sir John Bourn, the Comptroller and Auditor General, is concerned about complaints over the lack of accountability of the organisation headed by Lord Sterling of Plaistow, who took over from Lord Goodman last November.

In a letter to a national newspaper

yesterday Lord Sterling says that "the long-term commitment" of the banks is vital to the work of Motability. He writes: "Expectations are that within less than two years monies involved will exceed £15 billion. Obviously regular benchmarking is necessary to ensure value for money and I assure you that the importance of this is recognised."

Critics insisted that they were not alleging impropriety, merely seeking more information about the charity's finances. Bert Massey, head of the Royal Association for Disability and Rehabilitation, said: "We met with Motability to lay our anxieties on the table. I have no evidence of anything untoward but they need to be more open to allay suspicions."

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مكتبة من الأصل

Youth upset by parents' divorce shot stranger

By a Staff Reporter



Purle: loner at school

THE public schoolboy son of a leading QC, who became withdrawn after his parents divorced, shot a 60-year-old stranger at a railway station with an air pistol before stabbing him, the Old Bailey was told yesterday.

William Purle, 18, had written that he intended to kill someone in a diary. The entry read: "When one person is on the platform kill them." He also called himself "Son of Satan" in a poison pen letter.

Judge Denison, QC, described the attack on Colin Hadley at Eppingham Junction station, Surrey, as "wicked". He rejected a submission from George Carman, QC, for Purle to be sent for hospital treatment and sentenced him to two years in detention.

Sally O'Neill, for the prosecution, said Purle armed himself with a Swiss Army knife and an air pistol he used for shooting rabbits at his father's home in Sussex. The motive was to raise money. "He

decided he needed more money and was sick of asking his mother for more so he decided to try and get some." He had money in the building society but considered his allowance of £35 a month inadequate.

On the day of the attack last November, Purle found Mr Hadley, 60, a publisher from Exeter, alone on the platform. Without speaking, Purle pointed the airgun at him. His hands were shaking so much that it went off, hitting Mr Hadley in the chest. When Mr Hadley made a grab for the gun, knocking it from his hands, Purle produced the pen-knife and began to stab him.

Mr Hadley was wounded in the face but managed to make Purle drop the knife. No one was at the station so Mr Hadley held Purle down until a train arrived. Purle began to apologise to his victim as he lay pinned to the floor. He said that his parents had broken up.

When he was arrested Purle told police: "I do not know why I did it. I did not know him." Miss O'Neill said he told detectives he often thought about shooting people and a diary in which he wrote his "disturbing fantasies" was found in his home.

An entry from June 1993 read: "Murder plan - write note to police. When one person is on the platform... kill them." He had also written a poison pen letter to a stranger telling her: "I am the Son of Satan and I am going to kill you. You are going to die. Look out behind you... I'll be there. I have got a 12-inch knife." Miss O'Neill added: "There was a lot in the diary about murder. He used to get angry at people."

Purle, who lives with his mother, a solicitor, in East Horsley, Surrey, and is a scholar at St John's School, Leatherhead, pleaded guilty to assault with intent to rob and another charge of unlawful wounding. His pleas of not guilty to attempted murder and wounding

with intent to cause grievous bodily harm were accepted by the court. Mr Carman told the judge that Purle had become disturbed after his parents' marriage broke up.

"Why a young man born to a privileged home, who has had a very good education and is of above average intelligence should suddenly commit an offence of this kind is a puzzle. It is totally out of character," he said.

Mr Carman said Purle was tormented by what he has done. His eyes had been opened by six months in custody. "He knows of the shame he has brought to a proud and honourable family."

Charles Purle, QC, who has chambers in Lincoln's Inn, London, remarried when the defendant was 14 and now has two young sons. "He tried to integrate William into his new family but there was emotional and psychological resistance. Going inside this young man was emotional turmoil," Mr Carman said.

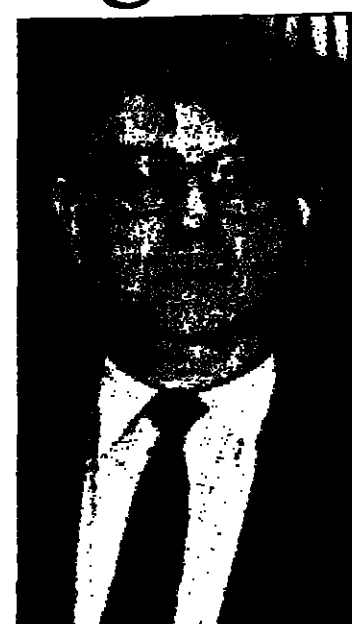
Christopher Tongue, head of St

John's School, where Purle was a day scholar, said: "The father never once in the four and a half years his son was with us came to the school. William was concerned about his family situation. His father's children from a second marriage were christened last July and that, I believe, was a very stressful time."

"He believed that he was in some way responsible for the breakdown of his parents' marriage. He was a very sensitive boy who felt things very acutely. I think he would like to have been closer to his father than he was going to be able."

Dr Michael Brown, one of two psychiatrists, told the court that Purle was suffering from a reactive depressive illness.

Judge Denison praised Mr Hadley for his commendable courage and awarded him a "token" £250 for his bravery. Mr Hadley has made an 80 per cent recovery. He said outside the court: "It was a big gun. I just knew I had to disarm him. I could not allow him to get a second shot."



Hadley: chosen at random

Officers accused of killing Joy Gardner 'were a law unto themselves'

Police used 13ft of sticky tape to gag woman, court told

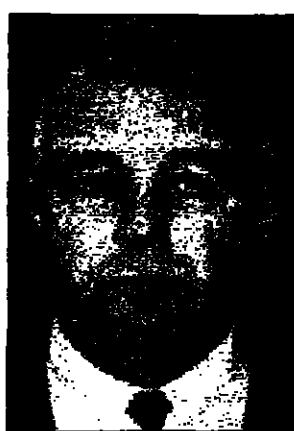
By Richard Duce

THREE police officers acted as a law unto themselves when they gagged an aggressive Jamaican woman with 13 feet of adhesive tape while trying to deport her. As a result Joy Gardner was starved of oxygen and died in hospital three days later, an Old Bailey jury was told yesterday.

The officers, two men and a woman, were in breach of standing police instructions not to gag detainees other than in exceptional circumstances when they went to Mrs Gardner's home in Hornsey, north London, and burst through the chainlock of her first-floor flat.

John Bevan, for the prosecution, said the officers were working for Scotland Yard's Alien Deportation Group when they went to Mrs Gardner's flat early on July 28, 1993, to escort her to a flight from Gatwick to Jamaica.

Mr Bevan said: "It appears the ADG were a law unto themselves in that they alone used gags and regularly used waist restraining belts in the course of deportation movements. The death of Mrs Gardner has highlighted the acquiescence by officers of the ADG in the use of such implements."



PC Colin Whitby



Joy Gardner



PC John Burrell

Detective Sergeant Linda Evans, 42, PC Colin Whitby, 48, and PC John Burrell, 45, all deny manslaughter.

Mr Bevan said that Mrs Gardner, 40, who was 5ft 6in tall and weighed 13½ stone, was an illegal immigrant who had married an elderly British citizen after arriving in this country in 1987. The Home Office had determined it a marriage of convenience after her husband refused to support her application to stay, saying that she had been violent towards him.

The three officers on trial were accompanied to Mrs Gardner's flat by an immigration official and two local police officers. Mr Bevan said mention had been made of possible trouble before the officers arrived at Mrs Gardner's flat. When they knocked on the door at 7.40am, it opened six inches and was on a chain.

PC Burrell shouted: "Open

waving her arms about and making a lot of noise". Mr Bevan said she was shouting: "I'll kill myself rather than go back to Jamaica."

He added that she was becoming more agitated and picked up the telephone and a salt and pepper set and banged them down on the table in the living room. Mrs Gardner had by now taken off her white T-shirt and was dressed only in her briefs.

Mr Bevan said that the three officers went to take hold of Mrs Gardner and PC Whitby called out "Decks".

"Mrs Gardner went down face first. She was turned on her back," Mr Bevan said. A leather restraining belt was then strapped to her waist with her hands placed inside its handcuffs and further belts were then buckled to her thighs and ankles.

PC Whitby then took a roll of 2in wide adhesive tape and wrapped it around Mrs Gardner's head. A second roll was produced by Det Sgt Evans. Mr Bevan said a forensic scientist who later examined the tape found it to be 13ft long - enough to wrap around Mrs Gardner's head almost seven times. Mrs Gardner was left lying face down on the floor while officers gathered up her possessions and clothing.

Later, however, the police constables were seen feeling her neck for a pulse, Mr Bevan said. The officers then realised Mrs Gardner was in difficulty and removed the tape from her mouth and attempted to revive her. She was taken by ambulance to hospital where she died three days later after her life-support machine was switched off.

An initial post-mortem examination showed she suffered severe brain damage "as a result of asphyxiation due to obstruction of her mouth by a gag", Mr Bevan said. "The use of a gag is fraught with great danger. There was no evidence of existing disease that could have caused her death."

The court was told that two leading neurosurgeons had reached the same conclusion about Mrs Gardner's death. Two other doctors said she could have died as a result of a head injury after a fall but the prosecution rejected this explanation.

Mr Bevan said that in 1983 the Metropolitan Police solicitor was asked for his views on the gagging of detainees by the ADG, now part of Scotland Yard's SO13. He replied that it could not be justified except where the pilot of an aircraft believed shouting and screaming by a deportee could endanger the safety of his flight. As a result standing instructions were issued, stating: "It would be difficult to justify gagging of detainees when not in flight."

But Mr Bevan claimed officers who had worked in the ADG for some years had adopted procedures using gags and restraint belts to which they were accustomed, "thus doubtless legitimising such treatment in their own eyes". He pointed out that anyone being deported was unlikely to complain about the restraint used as they were not likely to return to Britain immediately.

Mr Bevan added that the death of Mrs Gardner had attracted considerable publicity and jurors should avoid sympathy and prejudice when considering the case. "This case is a very unusual one. Put out of your minds any views about gender, colour, immigration or the police," he said. The trial continues today.



Detective Sergeant Linda Evans arriving at court yesterday. With the other officers she was said to have tried to revive Mrs Gardner when they saw she had breathing problems

Instructor took 'advantage of learner drivers'

By a Staff Reporter

A DRIVING instructor fondled a string of women while they were behind the wheel, a court was told yesterday. Christopher Briance, 50, allegedly touched their breasts when he leaned over to adjust their seatbelts and rubbed their thighs as they changed gear.

John Snell, for the prosecution, told Lincoln Crown Court that Mr Briance was arrested when a 17-year-old learner reported him. Police approached several other women who had learnt to drive at his Turvel School of Motoring in Stamford, Lincolnshire.

Mr Snell said: "A picture emerged of several women, all unknown to each other, with remarkably similar tales to tell about the way he had misbehaved and taken advantage of them."

Mr Snell said that on one occasion Mr Briance, a married man, took a pupil for an evening lesson and told her to drive to a deserted spot where he put his hand down her blouse. On another occasion he pushed a customer's seat back and kissed her

neck. It is alleged that Mr Briance talked about sex with his female learner drivers and made crude remarks about women who walked past in the street. Once he allegedly asked a pupil whose boyfriend was serving overseas in the RAF if she was "missing it".

One of Mr Briance's former customers told the court that she had changed instructors because she always felt uncomfortable when she was in his car. "He would lean across my front and pull the seatbelt across me and his hand would brush against my chest," she said. She had been so worried by Mr Briance's behaviour and crude sexual comments that she always wore trousers during lessons.

Mr Briance, of Stamford, Lincolnshire, denies eight counts of indecent assault between December 1985 and July 1993. He says that the women are involved in a conspiracy and have been pressed into making allegations against him.

The trial was adjourned until today.

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Injured victim names attacker

A MAN who was left brain-damaged after being attacked with a metal bar saw his attacker jailed for nine years yesterday.

Patrick Richardson, 42, a father of four, took the witness box to identify his assailant even though he can barely speak, using sign language and answering questions "Yes" or "No". He also wrote down answers and pointed to maps and lists.

After the case, Mr Richardson, who suffers from a condition known as dysphasia which hinders the ability to communicate, said he was glad he had given evidence. Ruth Coles, of Action for Dysphasic Adults, said: "I am delighted that somebody with a language impairment has been able to give evidence which has been accepted and has led to a conviction."

John Elliott, unemployed,

one of Mr Richardson's neighbours in Northampton, had pleaded not guilty to inflicting grievous bodily harm with intent last July.

Northampton Crown Court was told that the two men had fallen out after a dispute. The next day, Elliott let himself into Mr Richardson's house. He found Mr Richardson asleep on the sofa and, holding the bar in both hands, beat him around the head and body. During his evidence, Mr Richardson said he had woken to find Elliott standing over him.

Judge Hilary Gosling told Elliott: "This was a deliberate, planned and brutal assault and you have left your victim with a serious and permanent disability. You are a menace to society." Six years ago, Elliott was convicted of maliciously wounding another neighbour and possessing an offensive weapon.

Burglars bungle Python break-in

TWO burglars who attempted to break into the house of Michael Palin, the actor and Monty Python comedian, were so drunk that they could not work out how to enter.

While Nicholas O'Connell, 20, and Glen Hilliard, 18, fumbled noisily at his front door, Mr Palin was able to take down their descriptions, telephone the police, and watch their attempt to break in. Southwark Crown Court was told yesterday. O'Connell and Hilliard, both of Kenilworth, north London, admitted attempted burglary in January this year.

Jason Dunn-Shaw, for the prosecution, said Mr Palin was woken at about 4.15am by the sound of voices and the letter box rattling. Glancing through his curtains, he realised that two men were attempting to break in through his front door. "He could see two young men. One pro-

duced a metal tape measure and tried to insert this to release the catch. Mr Palin returned to his bedroom, roused his wife, who rang the police, and had the presence of mind to write down descriptions of the men."

Both defendants, who were still trying to gain entry when the police arrived, ran off but were caught and denied they had been trying to break in. Stephen Walters, for the defence, said the pair had been drinking heavily. "They both have very hazy recollections of what transpired."

Sentencing O'Connell to eight months in prison and Hilliard to 140 hours' community service, Judge Butler, QC, said: "I accept you had both been drinking at the time of this offence, which probably explains your inability to gain entry, but an excess of drink does not provide mitigation."



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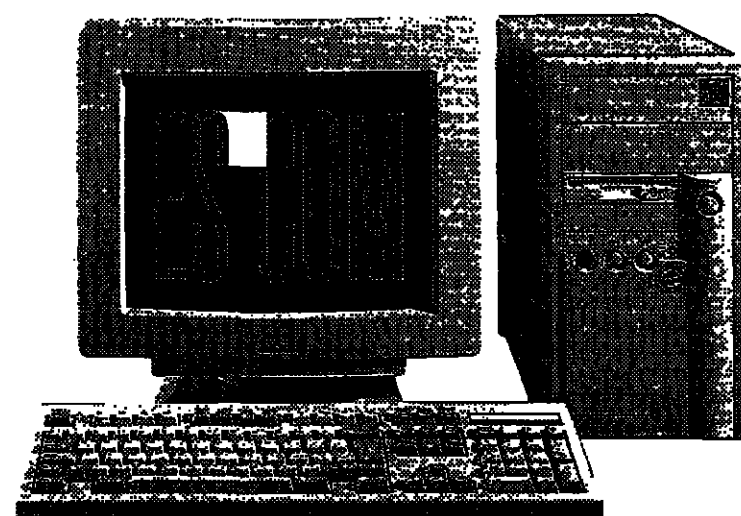


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High Court told that Armed Forces 'are pandering to prejudice rather than seeking to prevent it'

Sacked servicemen fight to end military ban on homosexuals

By TIM JONES

DEFENCE ministers and service chiefs were accused yesterday of pandering to irrational prejudices and intolerance by insisting that known homosexuals could not serve in the Armed Forces.

David Pannick, QC, told the High Court that such a restriction on homosexual men and women would not have been tolerated had it been imposed against black people, Jews or other minorities. Promising military careers had been shattered because of it.

Four former service personnel are seeking a judicial review of their dismissals, as well as the MoD policy that homosexuality is "incompatible with military service" and its contention that lifting the ban would "damage morale and unit effectiveness".

Mr Pannick said it was absurd to suggest that an RAF nurse could pose a threat to security when the Government had decided that being a

homosexual did not prevent a person working as a senior civil servant or ambassador.

"This absolute policy serves no coherent or legitimate purpose. It panders to an irrational prejudice and intolerance. It is incompatible with any concept of human rights and dignity. It demeans all those who are responsible for its implementation," he said.

Duncan Lustig-Preen, 36, of London, a former lieutenant commander and the most senior of the four, had an exemplary service record and was dismissed as unsuitable months after being commended by his commanding officer. The others applicants are Graeme Grady, 52, of London, a former RAF sergeant who is married with two children; Jeanette Smith, 28, of Edinburgh, a former RAF nurse; and John Beckett, 25, of Sheffield, a former Royal Navy weapons engineer. All had civilian partners. Mr Pannick,

who is representing three of the applicants, said each had served with skill and efficiency and to the satisfaction of their superior officers. "But for the policy which we challenge, there is every reason to consider that they would have continued to do so."

Mr Grady, who is in the process of a divorce, was the chief clerk at British Defence Intelligence Liaison Staff in Washington DC and had the highest security clearance.

Mr Pannick said the ban breached the European Convention on Human Rights and contravened European Union law. "This case is concerned with whether the Ministry of Defence can adopt a policy that all homosexuals must be discharged from the forces, however much they keep their sexual orientation off-base and in their private lives. It is about how distinguished their work record, however much they may be individuals



Four fighting the MoD, from left: Duncan Lustig-Preen, Jeanette Smith, John Beckett and Graeme Grady

who can be trusted and relied upon to perform their duties, they must be dismissed."

Air Chief Marshal Sir John Willis had suggested in evidence that there were special reasons why a disciplined force needed to exclude all homosexuals. These included

their potentially adverse effect on morale and efficiency, the problems of living in close proximity, and the fact that the forces acted as guardians for the 35 per cent of recruits who were aged 18 and below the age of sexual consent.

But Mr Pannick said that

other disciplined forces, such as the police, had admitted homosexuals without any of these adverse consequences, and that armies of Nato and Commonwealth countries had dropped such bans. "The Armed Forces are pandering to prejudice rather than seeking

to prevent it," he said. Sir Ian McKellen, the actor, who was in court, said afterwards: "The servicemen all have exemplary records, especially Duncan Lustig-Preen. His record is like a rave review in the theatre."

The case continues.

Airmen suspended for year on full pay

By MICHAEL EVANS

SIX RAF officers who have been suspended for a year after admitting being homosexual may take legal action to keep their jobs.

The Ministry of Defence confirmed yesterday that four senior air crew and two ground staff were waiting for their cases to be decided by the RAF board. They are all receiving full pay.

Under Queen's Regulations, officers who admit to homosexuality are required to resign their commission. However, no final decision has yet been taken concerning the six RAF officers.

Four of them have taken legal advice, although none is yet prepared to start legal proceedings. Madeline Rees, a solicitor who has given advice to the four, said yesterday: "Realistically, these officers should have already left the service because of the policy on homosexuality, but the Ministry of Defence doesn't seem to know what to do."

Women soldiers win £6,000 over redundancy bias

By MICHAEL EVANS, DEFENCE CORRESPONDENT

THE Ministry of Defence faces further compensation demands from former servicewomen who claim they received less redundancy money than male colleagues of the same rank.

Having already paid out nearly £45 million to more than 4,000 ex-servicewomen who were unlawfully dismissed after becoming pregnant, the ministry admitted yesterday that it had also broken European equal-pay legislation in handing out smaller redundancy payments to women. Three women brought a test case, supported by the Equal Opportunities Commission, claiming that they were unfairly treated when they left the Army last year as part of the Government's Options for Change redundancy programme.

The case, heard at a Southampton industrial tribunal, was settled out of court when the ministry agreed to pay compensation of more than £6,000 to each woman. For-

mer Lance-Corporal Catherine Hollingworth, 27, from Reading, Berkshire, and Lance Corporals Christine Dickinson, 31, and Inga Thompson, 27, both from Aldershot, Hampshire, had accepted voluntary redundancy after more than eight years of service. But they received £12,000 severance pay - £6,000 less than men of the same rank and service.

Dinah Rose, appearing for the three women at the tribunal, said: "This is as clear a case of direct sex discrimination as you will ever find. These women received lower redundancy payments on the ground of their sex."

A spokesman for the ministry said that the women received smaller payments because they had different employment contracts. Under previous arrangements, women were allowed to sign up for only three years.

Those who stayed in the Army after their initial three-year period remained on a lower pay scale despite their length of service.

However, men were allowed to sign up for nine years, putting them on a higher pay and pension scale. "So when they were made redundant, they were eligible for an extra commitment payment because they had signed up for nine years," he said.

Fifty-four women from the now disbanded WRAC have launched compensation claims on the same ground. Having accepted liability in the case yesterday, the ministry now expects to pay out another £400,000 in settlements to the other claimants. The pay of some women still serving will be upgraded.



Catherine Hollingworth: out-of-court payment

Army drug tests catch 19 offenders

By MICHAEL EVANS, DEFENCE CORRESPONDENT

NINETEEN soldiers have been identified as drug takers after the Army's new random drug-testing teams swopped 41 different units. They now face dismissal from the service.

Although laboratory tests showed that the majority had been taking cannabis, one soldier proved positive for LSD, registered as a class A drug with heroin and cocaine. There was also evidence of Ecstasy, another class A drug, and amphetamines. There were no cases of heroin or cocaine.

The Army's special compulsory drug-testing teams took urine samples from 3,619 off-

cers and soldiers between January and the beginning of May in Britain, Northern Ireland and Germany. The 19 discovered to be taking drugs represent just over 0.5 per cent of those involved in the random checks. This compares with official Home Office figures which show that in any one year, some three million people, or 6 per cent of the population, take an illegal drug.

An Army spokesman would not say which regiments had been checked, but the testing was carried out across the whole range of units. Nor was he able to say how many of the 19 had been dismissed.

Compulsory drug testing was introduced by the Army in December last year, after trials were carried out in 1993.

Army personnel have been warned that anyone found to be taking class A drugs would face immediate dismissal while officers would be forced to resign if random checks proved they were taking any type of drug, soft or hard. Non-commissioned officers above the rank of lance corporal are liable to administrative discharge.

Mr Clive Stanbrook, QC, is leading defence counsel in the Blantyre trial in which Dr Hastings Banda and others are accused of murder (report, May 3).

Liberal Democrats have majorities on Chelmsford, Aylesbury Vale and Mid-Sussex and Waverley District Councils (map, May 6).

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Charity calls for prosecution of 'child-sex tourists'

SENIOR detectives fighting an explosion in sexual exploitation of children joined forces with Christian Aid yesterday. They both want the Government to drop its opposition to legislation allowing the prosecution of Britons involved in "child-sex tourism".

British paedophiles are said to be among the worst offenders drawn to the burgeoning market in child prostitution in Third World countries.

Christian Aid called for an end to the immunity from prosecution of Britons who abuse children abroad and demanded government support. A report by the charity coincides with Lord Hylton's Sexual Offences Amendment Bill, which has survived three

By MICHAEL HORSNELL

readings in the Lords and is due to be considered by the Commons shortly.

But the Government opposes the Bill, which would commit Britain to following Australia, Germany, Sweden, France and Norway in criminalising the sexual exploitation of children overseas, notably in Thailand, the Philippines, Kenya and Brazil. The Home Office has said that the Bill would raise practical problems and that it would be counter-productive to introduce an ineffective law as well as interfere with the laws of other countries.

Sources at Scotland Yard's newly formed Paedophile and

Child Pornography Unit indicated yesterday, however, that such legislation was vital in cracking down on the sexual exploitation of children.

Police, who have developed a computer index of more than 4,000 known or suspected paedophiles in Britain, despair at the international networks that have developed in recent years. The networks have produced an explosion of increasingly violent hard-core pornography that is facilitated by the "information superhighway".

One police source said: "As policemen we can only support anything which will assist us to identify and pro-

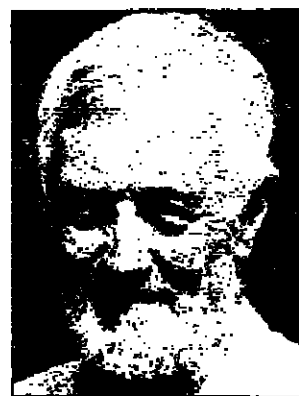
secute paedophile offenders. I cannot see how we could fail to take action against the activities of British paedophiles abroad in the British courts."

That was despite logistic difficulties in gathering evidence in countries where the law might ban child prostitution but where local officers turn a blind eye to it.

The Christian Aid report, *An Abuse of Innocence*, said that child prostitution involving forced children to engage in activities they were too young to choose to do freely and the exploitation of poverty. "Many child prostitutes are depressed, some are suicidal. They lose their childhood. They have no sense of future," the report said. The United

Kingdom has signed the United Nations Convention on the Rights of the Child, which calls upon governments to take action to prevent child prostitution, but had not committed itself to support legislation that would bring paedophiles into British courts for offences committed abroad.

It is believed that 200,000 Nepalese girls have been sold into sexual slavery in Indian brothels, 60,000 children work as prostitutes in the Philippines and another 200,000 in Thailand. In Colombia one third of all prostitutes are now under 14 and one in 20 is under 10. Up to 10,000 boys aged between 6 and 14 are said to be enslaved in brothels in Sri Lanka. The report says:



Hylton: Bill's sponsor

"Some of the men who abuse children in developing countries communicate informally with one another, thereby socially reinforcing their activ-

ity. They have also turned to computer networks to spread information about sex tourism and child prostitutes. The information superhighway offers these men a new opportunity to circumvent international and national legislation that bans their activities."

Christian Aid also suggested that the police database of child abusers might be extended to pinpoint sex tourists in the same way as computer information on soccer hooligans has produced a telephone hotline to identify them.

Jenny Borden, overseas director for the charity, said: "Lord Hylton's Bill is a chance to show that the UK is willing to be part of the solution when it comes to child prostitution."

The Bill's sponsor, Lord Hylton, a crossbencher and great grandson of Herbert Asquith, the Liberal Prime Minister, said: "The United Kingdom already has extra-territorial jurisdiction for the crimes of murder, slavery and torture. I believe sexual offences against children should be added."

Police have responded to the increase in hard-core child pornography and the abuse of children by setting up their new unit with 16 full-time officers under the umbrella of the Organised Crime Group at Scotland Yard. New offender-profiling techniques and the creation of an intelligence database have marked a determination to tackle the problem.

Schools rise to challenge of tests

By BEN PRESTON
EDUCATION CORRESPONDENT

THE first national tests for 11-year-olds began yesterday virtually free of the disruption that threatened to derail government education reforms in the past two years.

More than 620,000 pupils sat a 35-minute science test, the first of seven papers lasting nearly five hours to be taken this week. Pupils aged seven and 14 will also complete tests in English, mathematics and science this term.

Government advisers emphasised that yesterday's exercise bore no relation to the old 11-plus. They said that the results would not be used to determine entry to secondary school, not least because admissions will be decided before the results next month.

The three main classroom unions abandoned their test boycott last year after a £30 million government package to reduce the workload. Opposition to yesterday's tests was restricted to some parents at St Sidwell's Church of England Combined School in Exeter, who kept at home 15 of the 35 pupils due to sit the test.

Karen Gill, a mother of four who organised the protest, said the tests caused unnecessary stress and had no educational benefit. But Stephen Butterworth, deputy head at St Sidwell's, said: "I talked to the children after they sat the test and they appeared to be delighted and happy with it."

Nigel de Gruchy, general secretary of the National Association of Schoolmasters and Union of Women Teachers, said external markers had reduced the burden on teachers. But the Government's intention to use test results in future for league tables could damage relations.

Photograph, page 24



Some of 700 potential jurors arriving at the Old Bailey yesterday for a briefing by Mr Justice Phillips, who will try Kevin and Ian Maxwell on fraud charges at the end of the month. They were asked about any problems they might face if called to serve. More possible jurors for the trial, which could last six months, will be briefed next week

Bar's new entry system aims to scotch claims of legal old-boy network

By FRANCES GIBB, LEGAL CORRESPONDENT

PROPOSALS to end the "haphazard" scramble for places at the Bar are to be published. The move also aims to put paid to claims that some trainees are offered places in return for sex or through "old-boy" contacts.

Bar leaders have drawn up proposals, to be outlined this week, for the profession's first formal clearing-house entry system, similar to that run by universities. The system would ensure that all candidates were selected in line with equal opportunity codes and using consistent criteria.

At present there are about 1,100 Bar students chasing between 700 and 800 places in

chambers and if more universities are validated to run Bar courses, as is proposed, the numbers will increase.

Peter Goldsmith, QC, Bar chairman, said the Bar must put an end to any practice that fuels any allegation that it is a closed club. "An open clearing scheme that enables chambers to compare a field of applicants at one time on an equal basis would end haphazard selection procedures and encourage the practice and the perception of selection on objective merit, on which the Bar's future quality and strength depend."

At present students have to make their own applications — on average 50 each — to chambers, which do not co-ordinate interviews or selection procedures. Under a clearing-house scheme, expected to be running by autumn next year, there would be a single application form and a timetable for applications, interviews and offers. It would not however be compulsory, which is likely to lead to some criticism that it may not be fully effective.

In the past two weeks there has been concern over reports of traineeships (pupillages) being offered in return for sex. There has also been concern that some pupillages are offered outside chambers' normal selection procedures.

The Bar Council has launched an inquiry into this practice — known as private pupillage — after a complaint

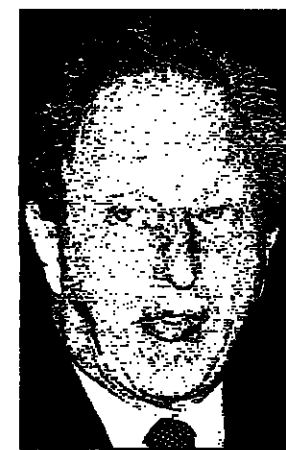
Jewish mediation service praised

By FRANCES GIBB

SENIOR judges including Sir Thomas Bingham, Master of the Rolls, and Lord Woolf, the law lord, have backed the first arbitration and mediation service for the Jewish community, which is launched today.

The scheme will cover most secular disputes but not matrimonial matters, with fees on a sliding scale according to people's means. The panel of arbitrators and mediators will be qualified in areas such as banking and medicine.

Dr Colin Livingston, a doctor and barrister, will head the non-profit-making service, run by the Central Council for Jewish Services. He said: "This will enable people on modest means to come to arbitration or mediation." Lord Woolf said it was "an excellent initiative".



Woolf: praised service

Judge condemns training plan for probation officers

By RICHARD FORD, HOME CORRESPONDENT

A HIGH Court judge strongly criticised government plans to overhaul the training of probation officers as "absolute nonsense" yesterday.

Mr Justice Garland said he was aghast at proposals by Michael Howard, the Home Secretary, to end the requirement that probation officers have a social work qualification. Sir Patrick, a former presiding judge of the South Eastern Circuit, said the Government appeared to be willfully misunderstanding the case load of most probation officers.

Under the proposals there will be direct recruitment with "on the job" training. Ministers would like to see more men join the 8,000-strong service, including those leaving the armed forces and the police.

The judge, president of the Central Probation Council, which represents the 55 probation committees in England and Wales, said: "The whole thing is wrong. The diploma in social work is going in an attempt to get the right people to apply to be probation officers."

He said nearly half of those entering the service were doing so as a second career and 35 per cent of applicants were over 30 years old and 29 per cent over 40. The Home Office had willfully misunderstood the task of probation officers.

"It is not a matter of shouting orders, telling people to get their hair cut and to stand up straight. Probation

ITV chiefs accused of failing to invest

Advertising executives have criticised ITV for spending too little money on programmes and for losing viewers.

In a letter to the ITV Network Centre, the Institute of Practitioners in Advertising rebukes the channel for failing to invest into programming cash from efficiency savings and from a windfall £57.3 million levy from Channel 4.

Advertisers are also unhappy that figures published yesterday by the IPA show that ITV's audience share — while much the largest in Britain — fell by 1.6 points to 38 per cent in the first quarter of 1995.

Help for pupils

Children from the Walter Halls Primary School, Mapperley, Nottinghamshire, who saw Joan Whitehall, 47, their school secretary, drown after falling under a barge on a Birmingham canal, have been promised counselling.

TV licence let-off

A woman who claimed she did not buy a television licence because the reception was so bad she only used the set to watch videos was given an absolute discharge. Magistrates told Clare Beddoes, 39, from Black Dog, Devon, she still needed a licence.

Boy's killer jailed

Brian Doherty, 21, who abducted and beat to death Kieran Hegarty, 11, in a wood outside Strabane, Co Tyrone, last year after discharging himself from a psychiatric hospital, was sentenced to life for manslaughter by Antrim Crown Court.

Costly slip-up

Gillian Remison, 31, of South Hetton, who was off work for 10 weeks after dislocating a knee when she slipped on pigeon droppings in Sunderland in 1992, has received "several thousand pounds" from the city council in an out-of-court settlement.

Carers cleared

Two care assistants, Angela Ategwaga, 19, and Annelaine Kelly, 35, who lowered Rachel Blitz, 89, into a bath of scalding water at a private residential home in Stepney, east London, were cleared of her manslaughter by the Old Bailey.

Cat burglars

Thieves who took a classic Jaguar worth £25,000 left an Aston Cambridge in its place. The blue mark II Jaguar, with Belgian numberplates, had been driven from Belgium for a sale at the National Motor Museum at Beaulieu, Hampshire.

Glued to phone

A woman was trapped for 20 minutes in a telephone box in Aston, Birmingham, when she became stuck to a glue-smeared handset. Firemen cut the cord and took her to hospital with the receiver still attached. After its removal, she was treated for burns.

Rob Roy comes to the aid of the nationalists

SCOTLAND played host to a £1 million party on Sunday night. The makers of the Hollywood film *Rob Roy* set up a six-level marquee with waterfall, fish ponds and a thousand candles beneath Edinburgh Castle.

The 700 guests drank champagne and dined on oysters, salmon, venison and haggis. The interior was a riot of cascading tulips and white roses. Standing on the dance floor in an elegant, beaded, black evening dress was Roseanna Cunningham, the Scottish National Party candidate in the Perth and Kinross by-election.

Nationalism in Scotland is glamorous. It is also fashionable. Every fifth car on the road from Perth to Glasgow displays a nationalist sticker with the slogan "Rise now and be a nation again".

By contrast, the small gathering of diehard Tories who met for the Scottish Conservative Party conference in Glasgow last week hid their conference badges in their

■ In the films, Scots heroes are routing the English. On the political battlefield of Perth and Kinross, it is expected to be a similar story, Gillian Bowditch reports

pockets before facing the demonstrators and *Big Issue* sellers on Sauchiehall Street.

There has never been a worse time to be a Tory in Scotland or a better time to be a nationalist. The kilt, once treated as an embarrassment in its native land, was worn with pride by many at Sunday's premier party. Even the English were in tartan trews.

The resurgence of Scottish pride is likely to be fuelled by this year's Hollywood blockbusters *Rob Roy*, and *Braveheart*, about Scots hero William Wallace. They may well do as much for the SNP as for the Scottish Tourist Board. The superficial themes of these films, in which Scots heroes beat the dominant but morally inferior English, are

also being played out on the Scottish political scene. John Young, a senior Scottish Tory and leader of the Tory group on Glasgow council, says the big problem his party faces is the perception that it is an English party.

The next battle in this increasingly bitter war between Nationalism and Conservatism will be fought in ten days' time in Perthshire where much of *Rob Roy* was filmed. Miss Cunningham and the SNP are expected to inflict a humiliating defeat on the Tory candidate John Godfrey.

This outcome for the by-election is now so accepted by political activists of all persuasions that the focus has shifted to whether the Tories will be beaten into third place by Labour's Douglas Alexander.

Labour took 12.4 per cent of the vote in the general election to the Tory candidate's 40 per cent but the latest polls put the Tories third behind the SNP and Labour.

Those campaigning in Perth say that the electorate would vote for a passing Martian if it were certain to oust the Tories. But for decades a Tory candidate in this constituency could commit almost any sin known to the Conservative whips and still be returned to Parliament.

The seat has been held by the Tories for 72 years, 21 of them by Sir Nicholas Fairbairn, a man of wit and eccentricity for whom many in the constituency had a soft spot.

This month John Godfrey, 31, a respectable young Tory banker with Scottish credentials and a pleasant, eager manner, will find that no matter how well he performs on a personal level, the electorate will reject him.

Many who will vote SNP will do so for tactical reasons and many have admitted they do not want to see Scottish

independence. But much of the credit for the SNP gains in the constituency must go to Miss Cunningham. The people of Perth and Kinross believe that this smart, straightforward lawyer will make a more than acceptable ambassador for the constituency at Westminster.

General election 1992: Sir N Fairbairn (C), 20,195; Miss R Cunningham (SNP), 18,101; M J Rolfe (Lab), 6,267; M Black (LD), 5,714. Con Maj: 2,094.

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British scientists hold out the prospect of painless weight reduction

Fat-busting jab could end need to diet or exercise

By Nick Nuttall, Technology Correspondent

A SIMPLE injection for treating obesity in humans that could end the need to slim or diet is being developed by British scientists. A decade of research into antibodies that destroy fat cells in pigs and sheep shows that the same techniques can be developed for humans.

Dr David Flint and Dr Chris Henshaw, who have been licensed by the technique's patent-owner to develop it, said yesterday the team expected to carry out tests on humans in two to three years and hoped to have the anti-obesity injection on the market soon after.

Tests indicate that the injection can be used to kill fat throughout the body or in one area. That would allow doctors to treat cellulite on the buttocks or excess fat on the face, legs or tummy without reducing fat levels elsewhere.

Dr Henshaw, director of the Medical Research Council's collaborative research centre

in Mill Hill, north London, said that photographs of two pork chops taken from the same animal showed that localised treatment could reduce fat levels. "The new technique is essentially biological liposuction. The beauty of the whole thing is that adipocytes (fat cells) do not replicate in adulthood. You only have a certain number. So if you get rid of them you get rid of your capability to store fat."

Two methods to treat humans are being tested. The trick is to modify human antibodies so that they look normal to the body's disease-fighting system but are programmed to hit fat cells. One involves injecting human fat cells into a mouse. The mouse recognises them as foreign, which triggers an immune response generating anti-fat antibodies. These can be collected and cultured.

His partner, Dr Flint, of the Hannah Research Institute in



Henshaw: two methods

Ayr, said: "If you put these back into a human, his or her body would see these as from a mouse, so you have to humanise them. It is quite a straightforward process these days."

Another technique being tested involves screening human fat tissue for "sleepy" antibodies with the potential to attack fat cells. Those are then "reawakened" through

genetic engineering. When people are born, the body produces attack cells for all the tissues and organs but swiftly switches them off, leaving a few weak ones floating around. The scientists plan to screen those from fat and restore them to full power.

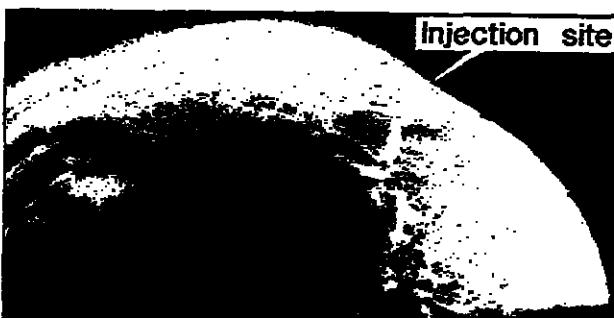
The method is a man-made version of so-called autoimmune diseases such as diabetes where the body suddenly starts attacking its own organs. Unlike these diseases, however, the anti-fat injection will be short-lived, with the antibodies dying after they have done their job.

The researchers also plan to study the exact dose levels needed to kill a proportion of human fat cells and see how much of the broken-down fat ends up in the blood stream, putting patients at risk of heart disease.

Dr Henshaw said that patients might need several low-level injections over months and possibly years. He added: "We have also identified through discussions with vets



Above: untreated pork chop showing the fat tissues
Below: a chop from the same animal after injection



a huge market in the United States for treating overweight dogs and cats. "America was providing nearly all the funding and commercial interest."

Dr Sheila Flynn, of the British Technology Group, which owns the patent to the idea, said that field trials were starting in the United States on pigs. A company in Iowa

would market the lean-meat injection worldwide.

Dr Caroline Pond of the Open University, who has studied the role of fat in animals, doubted that the technique would be specific enough to remove only unnecessary fat. She suspected that it would be more useful in farm animals than in humans.

'Safe' alternative to the Pill and coil launched

By Catherine Milton, Social Services Correspondent

A NEW contraceptive that is said to combine the advantages of the Pill and the coil but avoid some of their side-effects will be available on prescription from today.

The Swedish-Finnish developed "Mirena" releases tiny amounts of contraceptive hormone directly into the womb. The 32 millimetre T-shaped plastic insert is fitted through the entrance to the womb and sits at its top in a similar way to the coil. Mirena does not contain artificial oestrogen, which has been linked with thrombosis, but carries levonorgestrel, a progestosterone hormone found in commonly prescribed pills.

The dose is also much smaller than even the lowest-dose oral contraceptive. Over one week, Mirena releases the equivalent of two mini-pills into a woman's bloodstream. The hormone acts on mucus which lies within the entrance of the womb, making it difficult for sperm to enter. It also alters the lining of the womb, making it thinner and less receptive to any eggs which

are fertilised. Traditional copper coils are associated with heavy bleeding and pain but Mirena makes periods lighter and less painful. About 20 per cent of women stop having periods but all return to their normal levels of fertility once the device is removed.

As an intrauterine system, similar to a coil, Mirena avoids the user-error problems of the Pill, condoms and diaphragms: forgetting to take them or wear them. It is effective for three years. In clinical trials, conducted in 20 countries since the 1970s, it has matched sterilisation for reliability.

John Guillebaud, Professor of Family Planning at University College Hospital, London, said: "It is the most significant advance in contraception since the invention of the Pill. In many respects the system rewrites the textbooks. It reverses the heavy bleeding and increased pain associated with traditional copper coils but uses a far lower dose of the hormone found in commonly prescribed pills."

Astrology obsession led to two killings

A MAN obsessed with astrology killed his five-year-old son and his own mother while they slept because he believed he was saving them from evil. Alan Cooney, 29, a former soldier, believed there was going to be a revolution and after strangling his mother with his hands he strangled his son with a tie. Liverpool Crown Court was told.

Cooney denied murder last August but pleaded guilty to unlawfully killing the couple on the ground of diminished responsibility. Mr Justice Kay, who made an indefinite hospital order, told Cooney it was quite clear from the work of several experienced doctors that he had a mental illness and continued to suffer from that affliction.

Cooney met Yvonne Triggs, the mother of his son Myles, in 1983 when he was in The Cheshire Regiment. Their "wonderful" relationship deteriorated and he made unfounded allegations that she was having a relationship with another man, the court was told. They separated last June and he moved in with his mother.

58-year-old Anne Watkinson, at her home in Birkenhead, but continued to see Myles regularly at their home near by. Cooney visited his doctor twice and was diagnosed as being morbidly jealous and suffering from mental illness. He was prescribed anti-depressants and a sedative and arrangements were made for him to see a psychiatric nurse. He told his cousin that he had consulted the stars and there was going to be an upheaval and death.

Man fell to death 'escaping attackers'

A STUDENT fell to his death trying to escape a gang that threatened him after a Christmas party, an inquest was told yesterday.

Sean Harper, 20, is thought to have been chased on to the roof of the building where the party was held, before falling down a disused London Underground ventilation shaft. His body was not found until several weeks later by an engineer making a routine tunnel inspection.

Mr Harper, an engineering student from Great Yarmouth, had gone to the party in London University's Royal Naval Unit in Kensington, west London, with three friends. He left alone in the early hours of December 15.

Meredith Gamble, an office worker whose bedroom overlooks the building in the Brompton Road, told the inquest she was woken by screaming. "I heard three or four different male voices shouting for a couple of minutes," she said. "One of the voices was quite different from the others because it was particularly disturbing, it was clearly someone who was in great fear. He was alternately screaming and yelling. I definitely gained the impression that there was a chase of some sort."

Squadron Leader Michael Silvani, the adjutant of the University Squadron, which also uses the building, told the coroner that access to the roof and the shaft could be made only by a door at the top of a staircase for which he had the only key. An open verdict was recorded.

Reprieved dog to be put down

By MARIANNE DARCH

A DOG that was saved from a death sentence imposed for biting a policeman is to be put down after attacking a second person.

Philip and Carole Dole successfully challenged the 1991 Dangerous Dogs Act after magistrates ordered that Saaba, their alsatian, be put down.

Alan Clark, the former Tory minister, and the writers Jilly Cooper and Carla Lane backed their campaign to save Saaba, which bit the policeman when he tried to round it up after it had strayed. Brigitte Bardot sent a representative to the two Crown Court appeals against the destruction order. Roger Gale, MP for Thanet North, called for an urgent review of the Act.

Others to campaign for the dog included the Newcastle United football team and their manager Kevin Keegan, and the anthropologist Desmond Morris.

On Friday, six months after the reprieve, Saaba attacked a woman who called at the family's home in Chatham, Kent. Susan Burden, a water board official, suffered six bites to her arms and legs as she stood at the front door. She did not need hospital treatment.

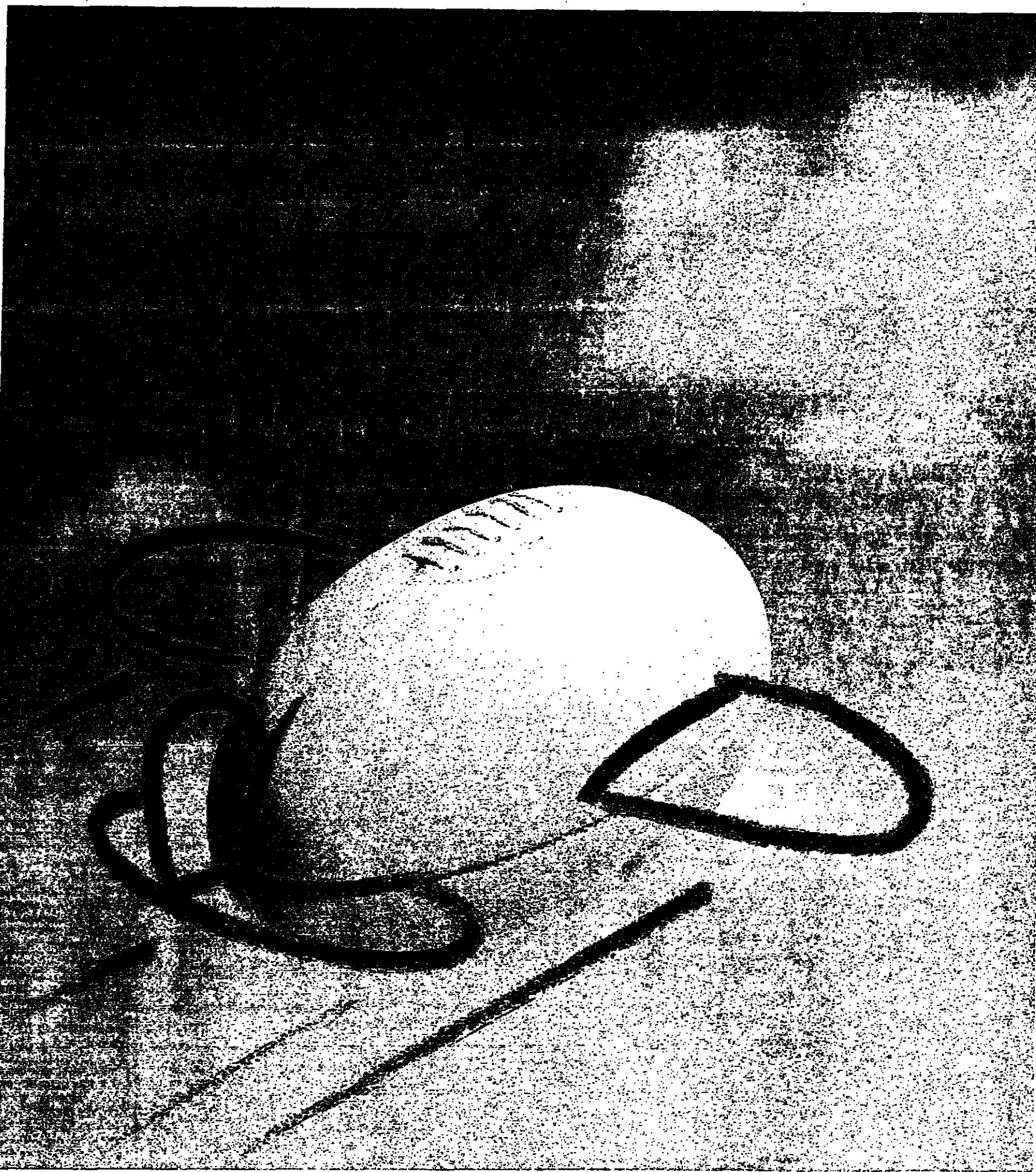
Ms Burden said: "It was a

complete shock. I didn't realise what had happened until it was over. I have been on pain killers since the attack. There's no doubt that the dog should be put down. If the victim had been a child the injuries would have been a lot worse."

Saaba had recently given birth to eight puppies, four of which had died, and may have seen Ms Burden as a potential threat to her remaining litter. Carla Lane said: "Saaba was protecting them. This woman arrives at the house every week, but Saaba thought her puppies were in danger for some reason and bit her. It is heart-breaking. She is not a bad dog."

Mrs Dole, 39, said during the campaign to save Saaba that she would not hesitate to take appropriate steps if the dog attacked again. It will be destroyed when the remaining puppies are weaned.

Jane Lillwhite, a family friend and campaign supporter, said: "It is a lesson to us all. We have to remember that dogs are the same as us and sometimes we react in a bad way. Saaba is not a dangerous dog. We proved that when we took her round meeting children and all sorts of people. The Dangerous Dogs Act still needs abolishing."



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Right plies Major with cocktail of policy ideas

By Philip Webster, Political Editor

THE removal of police motorway patrols, the abolition of television licences and a cut in the basic income tax rate to 10 per cent have been proposed to John Major in a right-wing agenda designed to prove that there is still an abundance of policies for a Tory government to carry through.

The Prime Minister told Scottish Tories on Friday that the Government was still "fizzing with ideas" as he promised a grand consultation exercise to draw up a "people's policy" for the next election.

He may well have had in mind a thought-provoking right-wing policy document circulating in Whitehall and Westminster including 10 Downing Street. Although many of its proposals are far too hot for the Government to handle, others are already in the policy pipeline and some are being floated by ministers.

The tax proposal was forwarded as part of a programme to switch from taxes on earning, saving and wealth creation to taxes on consumption, pollution and resource depletion. The concept was seized upon by the leading rightwinger Michael Forsyth, the Home Office Minister, in his speech to the party conference in Glasgow last week.

Under the far-reaching policy ideas proposed by influential outside advisers, a basic tax rate of 10 per cent would be financed by big cuts in public spending. Departmental budgets would have to be redrawn with every item of expenditure justified anew or deleted, rather than being increased in line with inflation.

The tax and benefit changes would not stop there. Taxes on capital, including inheritance and capital gains, would be reduced to zero; there would

be tax incentives for people who marry and stay together to raise children; after six months of unemployment people would be required to take jobs created by charities at rates just above the benefit level. There would be an end to "entitlement" to state benefits. "It is a privilege available on a temporary basis to those who will take steps to wean themselves off dependence," the document says.

Mr Major is advised that police should be taken off the motorways and concentrate all their resources on dealing with burglary, rape and muggings. Speeding should be controlled by automatic cameras and drink-drivers deterred by advertising campaigns; there should be no more radar speed guns and breathalysers.

The document urges the introduction of a law that

would allow the seizure and sale of all the assets of convicted burglars, with cash going to a national fund to compensate victims. The age limit on crime should be removed because "a 12-year-old driving a stolen car is a car thief, not a minor".

It proposes a "core curriculum" for the health service, setting out what the NHS will do with the funds allocated to it. People who want more should be helped to obtain it outside the NHS or pay extra within it.

The education system should be reformed with all state schools self-managed and funded according to numbers enrolled; this would be combined with a campaign to raise the status of teachers in society. The document suggests that the teaching in schools of British culture, including the history and traditions of the British people, should be made mandatory with an avowed aim to "Briticize" immigrant communities.

Other proposals include nursery education vouchers for all four-year-olds and tax help to promote childcare and flexible hours for working parents. But the radicalism shines through with the suggested replacement of television licences with a private fee-charging BBC service. Mr Major will not be short of subjects to raise as he embarks on his nationwide trawl for the next Conservative programme.



Jeremy Hanley, right, on his round of broadcast interviews yesterday in which he accused Labour of hypocrisy

Funding row compromise sought

By Arthur Leathley, Political Correspondent

SENIOR Tories suggested a compromise yesterday in the dispute over whether the Nolan committee should investigate the funding of political parties.

Members of the committee will call today for their chairman to challenge John Major's refusal to allow such an investigation. The Prime Minister has the support of Cabinet ministers, who fear that an inquiry into party donations could be explosive in the run-up to a general election.

But Lord Parkinson, a former

Tory party chairman, suggested that the issue could be explored after a general election. "It is an area that should be looked at — can be looked at. But I do think it is dangerous to set out on this course in the run-up to an election. You could actually be accused of affecting the result of the election and interfering in politics."

Jeremy Hanley, the Tory party chairman, accused Labour of "hypocrisy" over the issue. He focused attention on the Industrial Research Trust, formed two years ago to channel donations to support the Labour leader's office, and Common Campaign Ltd, a public company established to raise money and encourage endorsements for Labour at the next election.

Mr Hanley told BBC Radio 4's *World at One*: "In effect all it shows is the hypocrisy of the

party political nature of the battle that Jack Straw [Shadow Home Secretary] particularly is trying to wage. The Labour Party have 70 per cent of their votes bought by unions giving money."

Mr Straw defended the organisations, saying Labour would welcome "the fullest possible inquiry" into all sources of its funding.

Although most European political parties get state funding, in Britain they have to rely on trade unions, private donations and subscriptions.

The parties are each given minimal aid. Candidates get free meeting rooms at election time and have campaign leaflets delivered free. MPs receive travel expenses and a staff allowance. Television and radio stations are also required to carry party political broadcasts.

The Tories are the most

secretive about their sources. They rely heavily on company gifts and private donors, whom they refuse to name. But more than 100 corporate supporters have stopped donating and others have scaled down their support.

Labour remains heavily dependent on the trade unions for funding but the amounts involved are published in full. They reached £8.5 million in 1993 out of a total income of £16.6 million. Individual membership has risen by 15 per cent in the past year and non-union sources now provide 60 per cent of the revenue.

The Liberal Democrats are the worst off, receiving about £1.7 million in a non-election year. About 59 per cent comes from subscriptions, 31 per cent from donations and 4 per cent from conference services.

Leading article, page 17

Hunt praises US-style contract

From Martin Fletcher in Washington

THE Tories should consider offering voters a "Contract with Britain" at the next general election, David Hunt, the Cabinet minister responsible for government presentation, said during a visit to Washington yesterday.

Abandoning the traditionally vague policy statements of past election manifestos in favour of explicit contract-style promises was "some-

thing we should explore". Mr Hunt said after discussions with Republican congressmen.

The "Contract with America", signed by more than 300 Republican candidates before last November's congressional elections, promised votes within 100 days in the House of Representatives on 10 specific Bills, ranging from tax reform to measures to balance

the budget. It helped the Republicans to seize Congress for the first time in 40 years.

Mr Hunt said the Nolan report had underscored how low British politicians had fallen in public esteem. "When you have a concept that has been as successful in restoring public confidence in the system then it has to be a dimension you consider. It's an intriguing concept."

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Public pay for French politics

By James Landale, Political Reporter

MOST political parties across the world receive some form of state funding, either in regular financial grants or specific support during election campaigns.

According to a report published last year by the Commons Home Affairs Select Committee, the funds come in a variety of forms from direct cash grants or tax relief on donations and subscriptions to free access to state media, free postage for election leaflets and free poster sites.

French parties that put up at least 50 candidates get regular public funding in proportion to their share of the vote. They can also have a

small fraction of their election expenses reimbursed, about £5,000, if they win more than 5 per cent of the vote. Parties can accept donations but, under legislation that takes effect next month, only from individuals or associations.

German parties receive regular state funding based on their electoral success, with some tax concessions for donations and some free broadcasting at elections. Corporate and private contributors to party funds have to be named in the accounts if they give more than 20,000 marks.

In the United States, there is some federal funding for primary candidates at presi-

dential elections who have proven broad-based support. But most states provide no funding for state elections.

Spanish parties represented in the Chamber of Deputies receive subsidies based on the number of seats and votes at the last election. Parties in Norway, Portugal and Sweden receive state funding based on election results.

Parties in Ireland, Italy, Luxembourg, The Netherlands, Belgium and New Zealand get no regular public funding but a little indirect aid at elections. Italian parties can receive unlimited private or corporate donations but they must be declared.

Stand by for a reshuffle of no great importance

RIDDELL ON POLITICS

A Government reshuffle will occur in a couple of months, it will fascinate Westminster, will be largely ignored by the public and will make virtually no difference to the Tories' electoral prospects. That is what usually happens. The only reshuffles which matter are those rare ones which change the direction of government policy. And John Major shows no sign of wanting to shift the balance of his Cabinet.

The annual reshuffle season has started on time, after the cricket season has begun and before the one-day international, or, rather, after another Tory rout in the local elections. The futures of Stephen Dorrell and Virginia Bottomley are being debated in the same way as the merits of Mark Ramprakash and John Crawley in the England middle order. It is great fun to us observers, though infuriating to those involved, who are left twisting in the wind. Mr Major, like Ray Illingworth, does not like to be rushed in picking his team. So speculation will continue intermittently until the Third Test in July. The reshuffle will be forgotten by the time the Test series is over in late August.

Hands up who remembers the names of the Tory chairman and Health Secretary in May 1987? Step forward John Gummer, then a Minister of State, and Sir Norman Fowler, who combined health and social security as Social Services Secretary.

With rare exceptions, it does

not matter who fills most posts. Reshuffles are necessary to remove those who are not performing and to satisfy the ambitious. But they are usually an attempt to reduce a minus rather than to create a plus. Mrs Bottomley may have turned into a liability for the Tories at Health because she sounds dogmatic and inflexible, but there is no one available who can turn health into a vote winner. Similarly, while Jeremy Hanley has flourished as party chairman, and most likely successors may be more respected by Tory MPs and the press, he or she faces an uphill struggle.

Personnel management is obviously important, but it is marginal compared with the direction of the Government. Ever since he became Prime Minister, and particularly since the upheavals of autumn 1992, Mr Major has been undertaking a balancing act between the pro-Europeans and the sceptics, between Left and Right. That has dissatisfied the backbench Right in the 92 Group who feel that their views, and allies, are underrepresented in what is still a largely centre-Left Cabinet. But the influence of the Right has been increasing, in numbers and prominence, even though key posts such as the Treasury and the Foreign Office remain in the hands of centre-Left heavyweights.

The Thatcherite Right are

focusing their attacks on Douglas Hurd and Kenneth Clarke, who are seen as the main obstacle to a shift to the Right on public spending and Europe. The appointment of Michael Portillo, John Redwood or Peter Lilley to either of their posts would change both the face and the strategy of the Government. The Right has offered Mr Major its loyalty if he is willing to make such changes. But he knows this is a poisoned offer. He will not want to risk destabilising the whole Government.

More likely is that Mr Clarke and Mr Hurd will stay where they are — and the Foreign Secretary can in practice remain for as long as he wants. The party chairman will probably be a tough Major loyalist such as Brian Mawhinney, while right-wing ministers will be promoted to economic posts where their free-market energies can be given full scope. The real battle will come later, either following an autumn leadership challenge, or, more likely, after the next election. Mr Major will use the summer reshuffle to protect himself, not to open the way for a takeover by the Tory Right.

PETER RIDDELL

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ADAMIRAL

IN PARLIAMENT

YESTERDAY in the Commons: questions to national heritage ministers, the church commissioners and the Lord Chancellor's Department were followed by a debate on the Gas Bill, report stage. In the Lords: debate on the Jobseekers Bill, report stage.

TODAY in the Commons: questions to health ministers and the Prime Minister will be followed by a debate on the remaining stages of the Gas Bill, in the Lords: debates on the Jobseekers Bill, report stage, and the Prisoners (Return to Custody) Bill, second reading.

هكذا من الأصل

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Clinton bans visit by Taiwan leader to placate China

FROM MARTIN FLETCHER IN WASHINGTON

PRESIDENT CLINTON, who did not hesitate to offend Britain by admitting Gerry Adams to America last year, has provoked another controversy by refusing to allow the President of Taiwan to make a private visit to the United States for fear of upsetting communist China.

President Lee Teng-hui had been invited to speak at and attend a reunion next month at Cornell University, where he earned a doctorate in 1968, but the White House has refused to grant him an entry visa because, as one official in the State Department put it, his visit "could cause a very large problem in Sino-American relations".

In 1979 America withdrew diplomatic recognition from Taiwan in deference to Peking, which considers the island of 21 million people an illegitimate, breakaway republic. Peking has emphasised that it would regard a visit by

Mr Lee as a serious breach of its "one China" policy. Mr Clinton has capitulated to China's pressure, not least because he needs the Peking Government's co-operation in curbing North Korea's nuclear weapons programme.

Taiwan is America's fifth biggest trading partner, the

world's second biggest holder of dollar reserves after Japan, and one of Asia's most vibrant economies. It has also turned from authoritarianism to democracy, and Congress has emphatically repudiated Mr Clinton's decision.

The Senate approved by 97 votes to one last week a non-binding resolution demanding that he reconsider his decision. The week before, the House of Representatives approved an almost identical resolution by 360 votes to nil.

"We will never give up our support for one of our greatest allies and the oldest democracy in Asia," Jesse Helms, the Senate foreign relations committee chairman, said. "Getting [Peking's] gangsters mad at you is not something we should worry about." Dana Rohrabacher, a Republican congressman, said, "If we show a fist instead of a limp wrist, they may be more responsible."



Lee: wanted to attend a college reunion

Menem vows to press on with reforms

FROM GABRIELLA GAMINI IN BUENOS AIRES

ARGENTINIANS supported the continuation of economic reforms that have begun to stabilise their country when they re-elected President Menem for another four years on Sunday.

"My victory is a [sign of] the transformation of our country from an economic basket case [into one] that is taking huge steps forward," Señor Menem said in a speech to a huge crowd gathered outside the Casa Rosada government house. The President is credited with returning economic stability to Argentina since he first took office in 1989.

Official results released yesterday show that he won 50 per cent of the vote nationwide; his closest rival, José Octavio Bordón, the candidate for a new Centre Left alliance, gained 30 per cent.

Señor Menem's Justice Party, formerly known as the Peronist Party, also won 135 seats in the 257-seat Congress and retained control of 12 of the 23 provincial governments. Businessmen and investors were assured that Domingo Cavallo, Señor Menem's Finance Minister, who masterminded the Government's anti-inflationary and privatisation policies, would retain his job. Señor



President Menem, who has just been re-elected, answers questions at a conference in Buenos Aires yesterday

Cavallo said free-market reforms and the harsh austerity measures would continue.

The new Menem Government will try to capitalise on the Mercosur regional trade pact between Brazil, Uruguay, Paraguay and Argentina that came into being at the

start of the year to increase the country's lagging exports. Señor Menem also promised much needed investment for the public health and education system. Economists predict that the 33 million Argentinians still face a long period of austerity.

In his victory speech, Señor Menem repeated Argentina's demand for sovereignty over the Falkland Islands, but said his country would "never again" resort to military intervention to achieve that aim.

In London, the Foreign Office welcomed Señor Menem's re-election, but said there could be no question of any new negotiations on the sovereignty of the Falklands.

"The islanders have the right to self-determination," a spokesman said. "They have made it clear many times that they wish to remain British."

Men fight for end to first cut of manhood

FROM JAMES BONE IN NEW YORK

THE male rage sweeping America is not directed solely against the federal Government. A small but dedicated band of malcontents has taken aim at a target much closer to home: male circumcision.

These so-called "foreskin fundamentalists" are outraged about the almost routine practice of circumcision in America, the only developed country apart from Israel that still performs the procedure on a majority of male babies.

Putting their case with demonstrations and protest letters, anti-circumcision activists are demanding that American doctors stop what they regard as the unjustified mutilation of males, just as the National Health Service did in Britain in the 1950s.

The campaign has grown out of the "men's movement" and has spawned a number of groups across the country with such names as the National Organisation of Restoring Men (Norm), and Brothers United for Future Foreskins (BuFF).

Circumcision became a popular practice in America at the beginning of the century for health reasons, and reached its peak at around 90 per cent in the 1950s and 1960s. Some 60 per cent of male babies still have their foreskins removed.

Singled out for criticism is the American Academy of Paediatricians, which issued an opinion statement in 1989 that uncircumcised men have a higher risk of penile cancer and urinary infections.

Among activists' favourite slogans are "Boys deserve to have it all" and "Are ears next?" Men involved in the movement cite many reasons for their unhappiness with circumcision — from scarring and a loss of sensitivity to aesthetics and outrage.

Members of Norm, which used to be called Recap (Recovering a Penis), are pioneering non-surgical approaches to restoring their lost foreskins.

Working with ball-bearings and sticky tape, group members are applying techniques learned from skin grafting to stretch skin over their whole penis. Custom-made devices are now available, the most popular of which is the aptly named Tugger at just \$115 (£73) plus shipping and handling.

Reno tells of regrets over Waco

Washington: Janet Reno, the Attorney-General, has admitted that she is haunted by the orders she gave for the FBI raid on the Branch Davidian cult in Waco, Texas, two years ago (Ian Brodie writes).

Her acknowledgement about events at the cult's compound, where 80 people died, comes as some Republicans are urging a new Waco investigation as part of an inquiry into terrorism and national security after last month's Oklahoma bombing.

The bomb, which killed 168, occurred on the second anniversary of the Waco fire and was allegedly an act of revenge by paramilitary extremists convinced that the FBI had taken the law into their own hands. Ms Reno said: "Knowing what happened, I would not do it again."

Cosmonauts to join US shuttle

Cape Canaveral: Four Russian cosmonauts were on their way here last night to prepare for a joint mission with America intended to help to establish a permanent human presence in space. Anatoli Soloviov and Nikolai Budarin are due to be on board the Atlantis US shuttle with five American astronauts on June 24 when it blasts off from Cape Canaveral for the Mir orbiting Russian space station.

The Mir station is being used for a series of experiments — part of a project to build an international space station, known as Alpha, by early next century. The shuttle will remain docked with Mir for five days. (Reuters)

Father kills boy after name row

Easton: A Pennsylvania father who lost a court battle to give his illegitimate son his surname shot dead the three-year-old boy and killed himself.

The bodies of Alan Gubernat and Scott were found in Mr Gubernat's home in Williamstown three days after a court ruled that the boy should keep the surname of his mother, Karen Dercener. The ruling by the Supreme Court in New Jersey, where Scott lived with his mother, overturned a decision made last September. (AP)

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هكذا من الأصل

Neighbours condemn Chinese nuclear test

By JONATHAN MIRSKY
IN HONG KONG
AND OUR FOREIGN STAFF

Tokyo has told Peking that its latest nuclear test, carried out within three days of the decision to extend indefinitely the Nuclear Non-Proliferation Treaty, could jeopardise a substantial Japanese loan

JAPAN and Australia protested to China yesterday after Peking announced that it had set off its 42nd nuclear explosion, within three days of 8 nations agreeing in New York to extend indefinitely the Nuclear Non-Proliferation Treaty.

Tokyo said that bilateral ties, including billions of dollars worth of economic assistance, could be jeopardised by the explosion.

Australian, China merely announced the test, but not its date, place or strength. It was monitored by the Australian Seismological Centre, which reported that it had taken place at the testing site at Lop Nor in the western Xinjiang autonomous region. The centre said the explosion had been equivalent to 40,000 tonnes

of 150,000 tonnes of TNT, which is the usual strength of Chinese tests.

Kumihiko Saito, Japan's Deputy Foreign Minister, told a news conference: "I am concerned about the possible effect on Sino-Japanese ties... We will of course include economic matters in our review of Sino-Japanese ties, although I cannot immediately say where our study will take us."

The Foreign Ministry called in Wu Dawei, China's acting Ambassador to Tokyo, to hear the protest. Japan, the only country hit by atomic

bombs, has protested to China each time it has conducted nuclear tests. The most recent were in June and October last year.

Foreign Ministry officials were particularly angry because the test was carried out only days after Toshiichi Murayama, the Prime Minister, visited China and urged Li Peng, his counterpart, to halt all nuclear tests.

Japan and China agreed last December on new Japanese loans totalling 580 billion yen (£4.1 billion) over the next three years. Tokyo has a

guideline for extending official development assistance that says a recipient country's disarmament efforts must be taken into account.

Gareth Evans, the Australian Foreign Minister, said: "Australia is deeply disappointed that China has shown disregard for international opposition to nuclear testing, the more so in the positive aftermath of the Nuclear Non-Proliferation Treaty review conference."

The 178 signatories agreed last week to an indefinite extension to the treaty. A separate, comprehensive test ban treaty could be finalised this year and may be ready for signing next year, Mr Evans said.

"Australia looks to the nuclear weapons states to desist from nuclear testing as negotiations enter their critical stage," he said. "China's continuing testing is out of step with the positive attitude of the negotia-

tions as well as China's own support for nuclear disarmament and its stated commitment to a comprehensive test ban treaty." Officials at the Australian Embassy in Peking had been told to pass on the country's concerns to the Chinese Government, Mr Evans said.

Kazakhstan, the country closest to China's nuclear test site, also urged Peking to halt its tests. "We urge the Government of China to stop any kind of nuclear tests and to join the nuclear powers except China," Vyacheslav Gizatov, the Deputy Foreign Minister, said.

South Korea, in a Foreign Ministry statement, said it was "very regrettable" that China conducted the test "when other nuclear powers are restraining their testing and after the indefinite extension of the Nuclear Non-Proliferation Treaty".

Police ready to hold cult leader for gas killings

FROM ASSOCIATED PRESS IN KAMIKUSHIHI

THIRTY Japanese police, capping an eight-week investigation, obtained arrest warrants yesterday for the leader and 20 members of the cult that is suspected of the nerve gas attack on the Tokyo subway, reports said.

Four days earlier, the police arrested a top sect official suspected of supervising the gas attack, which killed 12 people and injured 5,500.

In the meantime, one person was taken to hospital and he had coughing fits after inhaling fumes at a subway station in Yokohama, just south of Tokyo, firefighters said. It was the latest in a series of such cases, mostly believed to be copycat crimes, in the wake of the nerve gas attack on March 20.

Shoko Asahara, the leader of Aum Shinrikyo, and about 20 group members would be charged with the manufacture and release of the nerve gas in the subway attack, the police said yesterday. The Japanese media reported later

attack, but is widely believed to be staying in a hidden area of the compound buildings. Several hundred of his disciples are also thought to be still living at the commune.

The police said that Yoshihiro Inoue, the head of the cult's "ministry of intelligence", and three other sect members were caught at a roadblock on the outskirts of Tokyo just before dawn yesterday.

Mr Inoue resisted arrest and was taken into custody for alleged obstruction of justice. He was refusing to answer questions, but was identified by his fingerprints, a Tokyo police official said. Mr Inoue was responsible for recruiting 1,000 of the cult's 10,000 members in Japan, the *Asahi Shimbun* newspaper said.

Several arrested cult members have told the police that Mr Inoue personally supervised the gas attack, heading a group of from five to ten people who left sarin gas in plastic bags on the subway, according to Japanese news reports.

At least one member of the group has also admitted to the police that he placed a bag on a subway train, the *Yomiuri* newspaper said.

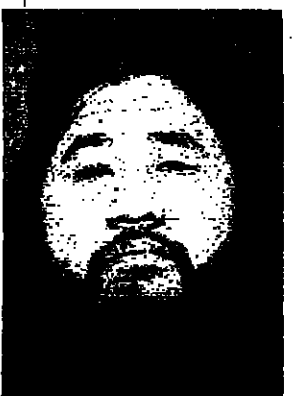
The police have also confiscated tons of chemicals that could be used to make nerve gas at the Mount Fuji commune, but the cult repeatedly has denied involvement.

Jun Toyota, a leading member of the sub-group within the cult that carried out extensive experiments with chemicals, was arrested with Mr Inoue yesterday. Officers said they seized many documents, a personal computer and hundreds of other items from the cult members' car.

Mr Asahara preaches a mixture of Buddhist and Hindu doctrines and has predicted that a third world war will begin in 1997. He claims to be a messiah and says that those who follow him will survive that conflict.

In the weeks after the gas attack, the Japanese have become accustomed to what was previously almost undreamt of in their country: thousands of police in protective uniforms searching cult facilities, patrolling stations and manning roadblocks. Waste bins have been removed from subway stations as a precaution and conductors repeatedly warn passengers to watch out for suspicious packages.

Ten days after the gas attack, Japan's top police officer nearly died in an assassination attempt. Mysterious noxious gases have been released several times in stations and other public places, injuring hundreds. No suspects have been arrested.



Asahara: said to be hiding in compound

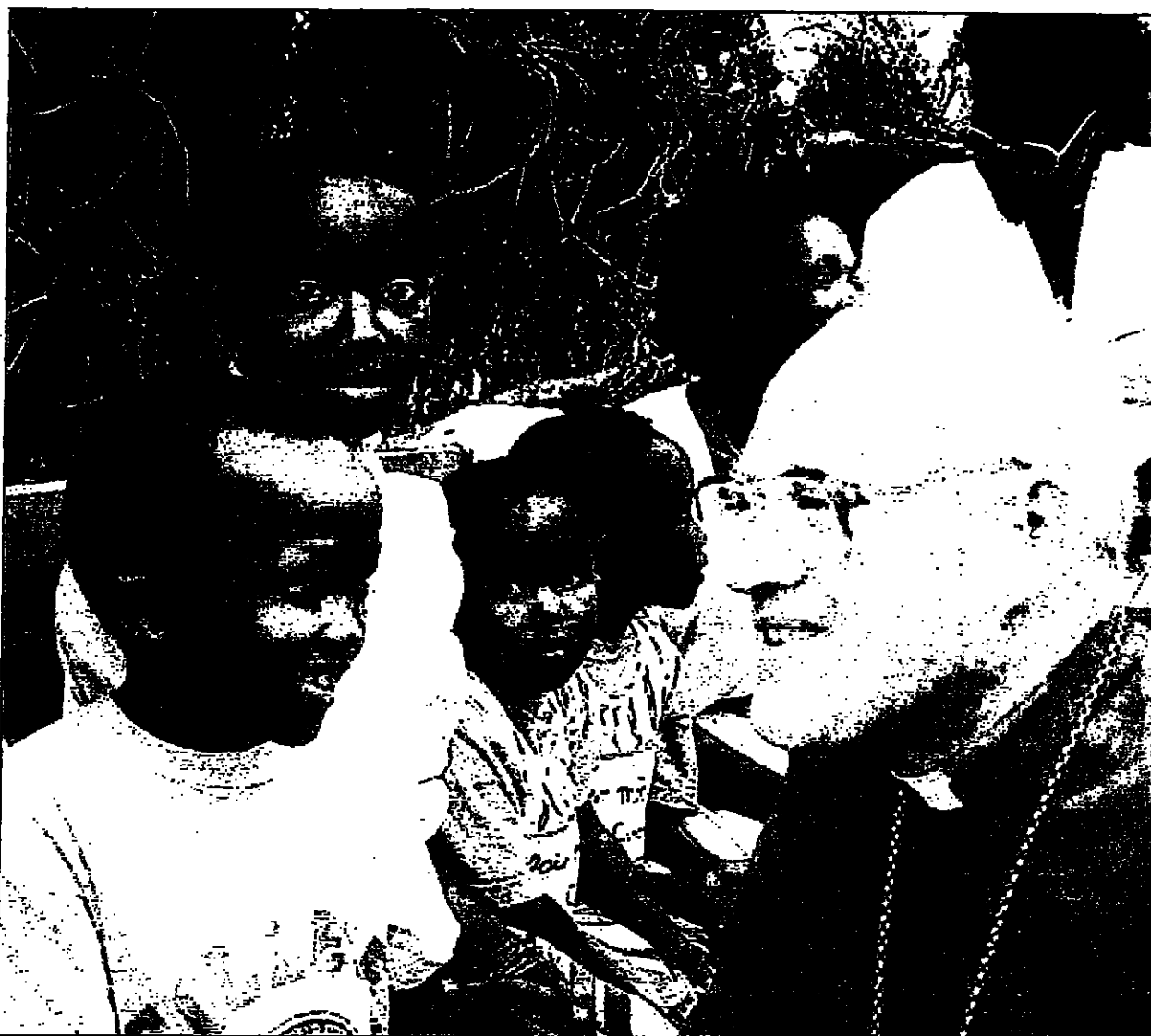
that the warrants had been issued last night, with the police expected to make the arrests early today.

The police tightened security because of fears that sect members would retaliate after the leader's arrest. "We are worried about what is going to happen next," said an officer patrolling the Ginza subway station in Tokyo.

Although more than 200 cult members have been arrested in the investigation, Japan's largest, none has been directly charged in connection with the gas attack.

Japanese television network ran special programmes yesterday in expectation of Mr Asahara's arrest, and more than 100 reporters and photographers were waiting in heavy rain in front of his home at the group's Mount Fuji commune in Kamikushiki.

The police also tightened their already strict security measures around the commune. Mr Asahara disappeared after the subway



Dr George Carey, the Archbishop of Canterbury, talks to children injured in the Rwandan violence last year

Rwanda archbishop is expected to quit over links with genocide

By ANJANA AHUJA

THE fate of the Anglican Archbishop of Rwanda, who is accused of being involved in genocide in the country's civil war, will be decided next month, it was revealed yesterday. According to church sources, Archbishop Augustine Nshamigiro, who fled the country at the height of the mass killings a year ago, will be asked to resign.

Dr George Carey, the Archbishop of Canterbury, said at Lambeth Palace yesterday after visiting Rwanda that Archbishop Nshamigiro had been accused of having "too close a liaison" with the former Government. "Whether it is direct or indirect involvement, I don't know," he said. Dr Carey said that, during his five-day tour of Rwanda, protesters waved placards bearing the names of bishops allegedly involved in the genocide. "I would like to see these claims investigated, whether they involve Christian leaders or not," he said.

Churchmen, especially of the dominant Roman Catholic community, have long been accused of involvement in the massacres because many were carried out in churches. Several of the eight Anglican bishops, along with Archbishop Nshamigiro, fled to Nairobi at the peak of the killings, fuelling speculation about their role.

One, Bishop Jonathan Ruhumukunda of Kigali, has been attacked for refusing to condemn the atrocities and sharing a platform in Nairobi

with Archbishop Nshamigiro. However, he returned to Rwanda late last year, while three other bishops remain in exile. Dr Carey said that a meeting of the Rwandan synod was being called next month "to discuss the structures of leadership".

"Can you imagine if I was out of England for a year? ... and how can you lead a ministry when you have only five out of 11 or 12 bishops?" Dr Carey asked.

Church sources insisted that the meeting would result in the departure of Archbishop Nshamigiro. One said: "An archbishop cannot leave his people leaderless. Bishops are held in extremely high regard and their absence is a disaster

for their people." Dr Carey was the first Archbishop of Canterbury to visit Rwanda, which he called "a country of widows and orphans". There are up to a million Anglicans. During his visit, Dr Carey had acknowledged that the Church had "failed" the Rwandan people.

"Churches are places of security," he said. "People were herded into places of security so they could be massacred." Dr Carey also visited a hospital in Butare where, he said, "doctors were killing doctors, and nurses were killing nurses." He appealed for the international community to step in and bring the perpetrators to justice. "I have complained on a number of occasions that systems of justice have not been set up. It is quite appalling," Dr Carey added.

Harare: The editor, deputy editor and publisher of the *Financial Gazette*, Zimbabwe's leading independent newspaper, have appeared in court over articles about the secretive marital status of President Mugabe.

The three men had been held by police for 48 hours and then accused of defaming a judge and Cabinet minister by saying that they had attended a wedding at Mr Mugabe's home after a denial by the two. Human rights groups said that the moves were attempts to intimidate the small independent press.

Health teams tackle Ebola fears

FROM ASSOCIATED PRESS IN KINSHASA

AS THE first two suspected cases of Ebola disease were reported in Kinshasa, the Zairean capital yesterday, officials in Kikwit, plagued by the virus, were telling people how to avoid catching it.

Three new confirmed cases were reported on Sunday in Kikwit, 370 miles east of Kinshasa, said Richard Leclair, of the World Health Organisation (WHO). Seventy-nine people are known to have contracted the disease, of whom 60 have died. Kikwit is under quarantine. Thomson Prentice, of the WHO, said

that any Kinshasa cases would not represent an acceleration of the epidemic. "It would not be a great surprise if at least one case occurred in Kinshasa," he said before news of the Kinshasa cases emerged. "It doesn't follow that more people will get infected because transmission is quite difficult."

Mr Prentice said that hospitals in the capital had had time to prepare, and health organisations had stepped up control measures. The WHO is trying to track down all the individuals who have been in

contact with the virus and to find out where they are and how they are," he said.

So far, cases have been confirmed in the villages of Musango, Yanga, Yassa Bonga and Kenge, according to an international committee monitoring the outbreak.

Medical experts have been converging on Kikwit to study Ebola.

"I knew it would happen again, and I've been waiting 20 years for it," Bob Swanepoel, a South African virologist, said on Sunday before leaving for the city.

Manila widens poll fraud inquiry

FROM ASSOCIATED PRESS IN MANILA

ELECTION commissioners in the Philippines have widened the scope of their investigation of what one official referred to as the most blatant electoral fraud he had ever encountered. The issue is the alleged inflation of the number of votes cast in last week's polls for senate candidates who support President Ramos.

Elsewhere, a defiant Imelda Marcos, the widow of Ferdinand Marcos, the country's dictator who was deposed in 1986, declared herself to be a member of Congress for Leyte island, in doing so she defied the Election Commission, which has ruled that she failed to meet residence qualifications in the constituency. She

took her oath as a member of the House of Representatives on Sunday at Tacloban, 350 miles southeast of Manila, the capital, after election officials acknowledged that she won 70,471 votes. Her nearest rival received 36,833.

Mrs Marcos declared her victory showed that the "people power" uprising which removed her husband from office nine years ago was a fraud. "It is clear I am the people's choice," she said. Earlier, at a "victory rally", she told her supporters: "There are those who will stop at nothing to keep the people from electing the Marcoses."

Discussing the alleged inflation of results, the election

commission said at the weekend that up to 30,000 votes were apparently added to totals for Franklin Drilon, the former Justice Secretary, Ramon Mitra, the former House Speaker, and Juan Ponce Enrile from Marcos strongholds in Ilocos Norte province. Provincial officials were summoned to Manila to explain the discrepancies.

"I believe [the fraud] was intentional," said Regalado Maambong, an election commissioner. "You can't make such a mistake involving such a big number of votes as 30,000 and several candidates. This was the worst case I have seen since I joined the commission five years ago."



Marcos: defied officials to claim election victory

Swedish minister goes home after PLO row

FROM CHRISTOPHER WALKER IN JERUSALEM

MONA SAHLIN, Sweden's Deputy Prime Minister, cut short a visit to Jerusalem and flew home yesterday after Israel objected to her plans to meet leading members of the Palestine Liberation Organisation in annexed east Jerusalem.

Israel attempted to play down reports of a diplomatic incident, but was unable to provide a date when Mrs Sahlin would return to finish her programme. In an attempt to ease nearly 50 years of strained relations with Sweden, Israel earlier issued an official public apology for the murder in September, 1948, of

Count Folke Bernadotte, a United Nations mediator, who was assassinated in Jerusalem by Jewish terrorists from the Stern Gang.

Yehoshua Zetler, one of the men involved in the killing, said, however, that he was unrepentant. "We executed Folke Bernadotte. Whoever lived in those days in Jerusalem is able to understand the background to it," Mr Zetler told Israel Television. "I would not apologise. It was necessary to kill him." Bernadotte was assassinated because the Stern Gang opposed his policies, including the internationalisation of Jerusalem.

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Mitterrand's old allies convicted of sleaze charges

FROM CHARLES BREMNER IN PARIS

TWO days before the departure of President Mitterrand, courts passed guilty verdicts for corruption yesterday against two top figures in his former administration. Bernard Tapie, the tycoon football boss, and Henri Emmanuelli, the Socialist Party leader.

In what amounted to a day of judgment on the sleaze that stained the late Mitterrand years, Tapie was given a one-year prison sentence for buying a victory for Marseilles, the team he owned, and Emmanuelli received a one-year suspended sentence for his part in the illicit financing of the Socialist Party.

Both men served as ministers under M. Mitterrand. While Emmanuelli's conviction stemmed from the murky methods that parties used to finance themselves, the sentencing of Tapie, 52, seals the downfall of an anti-establishment folk hero who was, until recently, deemed a presiden-

tial contender. The swaggering, self-made businessman was hoisted to government rank when M. Mitterrand favoured him in the late 1980s. He was declared bankrupt and banished from electoral office last December. True to his portrayal of himself as a martyr, he railed against the courts yesterday, saying the establishment was out to crucify him. He is expected to appeal.

The darker legacy of the Mitterrand years was further aired yesterday with the release from prison of Dr Michel Garetta, the leading figure in the HIV blood scandal that helped to bring down the last Socialist Government. After serving a two-year term on a minor charge, he faces trial on the more serious charge of poisoning.

While the courts were settling their business with the Left in verdicts delayed by the presidential election, there

was no gloating from the incoming administration of Jacques Chirac, the Gaullist President-elect. Investigating judges are busy with cases involving a string of conservative politicians, some of whom are close to M. Chirac.

In the first big Gaullist case, a court in Lyons yesterday began the trial of Alain Carignon, a minister in the outgoing Government of Edouard Balladur. M. Carignon, 46, faces a possible ten-year prison term if convicted of taking bribes for water contracts in his capacity as Mayor of Grenoble.

M. Chirac will be watched by judges, the opposition and the media for the first sign that his Justice Ministry has succumbed to the old habit of stifling inquiries into politically embarrassing cases. The new Justice Minister is expected to be Jacques Toubon, the present Culture Minister and a Chirac ally.



Bernard Tapie, the businessman, leaves court in Valenciennes yesterday after his conviction for bribing footballers to let his Marseilles team win a match in 1993

UN commander orders passive line in Bosnia

FROM JOEL BRAND IN SARAJEVO AND CHARLES BREMNER IN PARIS

THE French officer commanding United Nations peacekeeping troops in Sarajevo has ordered them to be more passive in the face of belligerence. The move appears to represent an important victory for the Serbs.

Major-General Hervé Gobilard's order also suggests that the UN mission will soon begin drawing back from operations such as that which brought what is now a fading peace to the Bosnian capital. In the past month in Sarajevo, two French peacekeepers have been shot dead by snipers and another is expected to die soon of a gunshot wound to the head that he received while he was searching for Serb snipers last Thursday.

"I do not want to accept any more casualties," General Gobilard told senior officers at a weekend briefing. "Under no circumstances will we engage either warring party, which might put the life of one of our soldiers in jeopardy," he reportedly said.

UN officials say that he is under direct pressure from Paris to make the latest French casualty the last. So far, ten French soldiers have been killed by the clashing armies since the UN was deployed in April 1992.

The timing of General Gobilard's remarks, which were not intended for publication, sheds some light on continuing discussions within the UN about the future of the embattled mission. In Paris on Friday, Boutros Boutros Ghali, the UN Secretary-General, had talks with the top military and political officers from the UN mission. He also

met international mediators. Reports suggest that what emerged from the talks was a unanimous recommendation for a change of course: the operation, taking the emphasis away from peacekeeping and towards monitoring.

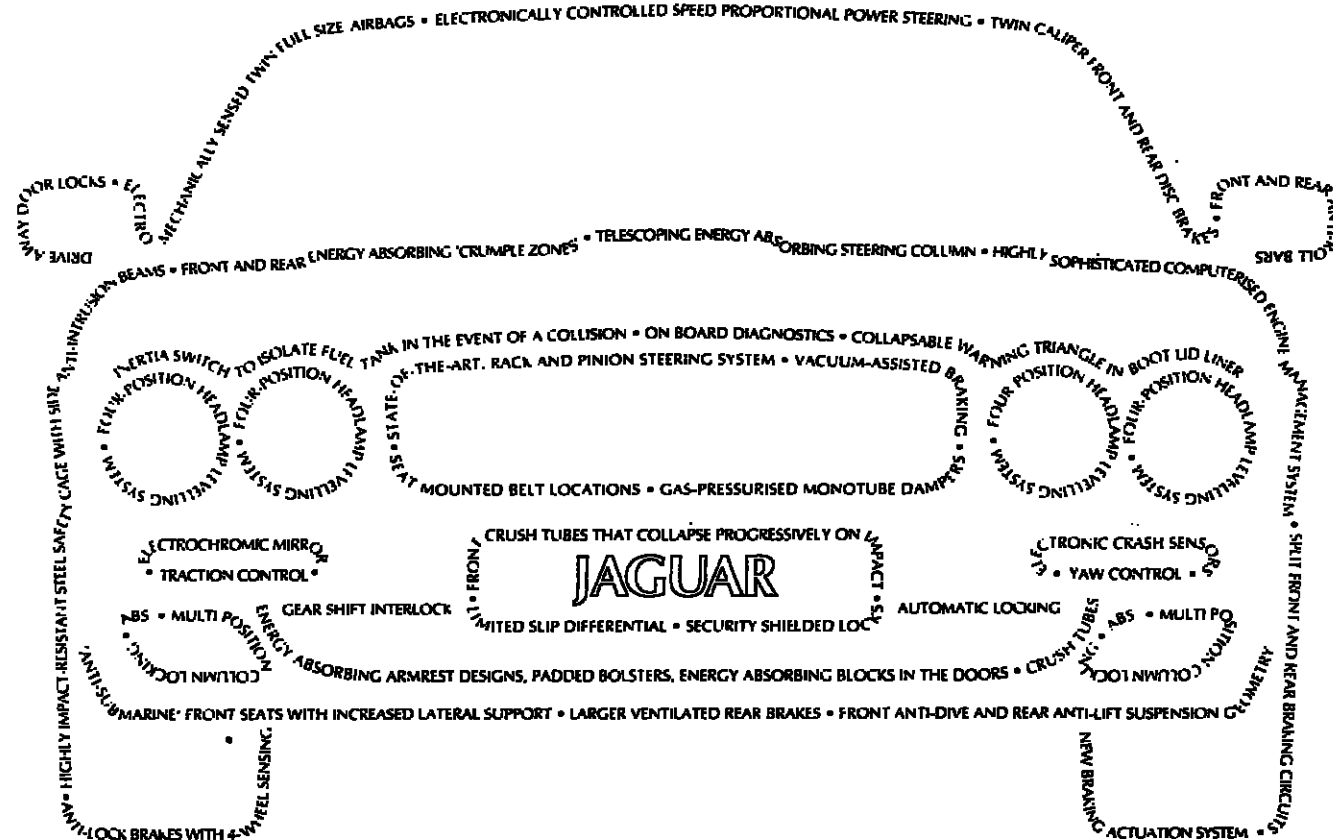
This would mean that the aggressive peacekeeping techniques of Lieutenant-General Sir Michael Rose, the British former UN command, are likely to be abandoned. Dr Boutros Ghali is now preparing a report on the matter and the Security Council is expected to meet in about two weeks to discuss it.

Leading peacekeepers and Western diplomats believe that the three-year war in Bosnia is defeating UN attempts to dampen fighting and violence by deploying only lightly armed peacekeepers operating under a vague mandate. UN officials believe that there is now little Western will to stand up to the Serbs.

In Paris yesterday, Britain and France agreed to push on with diplomacy as the only option for bringing peace to the former Yugoslavi but ruled out any imminent withdrawal of their peacekeeping contingents.

After a meeting with Douglas Hurd, the Foreign Secretary, Alain Juppé, his French counterpart and likely new Prime Minister, said there was "a little glimmer of hope" that the five-nation Contact Group could win agreement for mutual recognition among the warring parties. The two men agreed that there was a risk that the diplomatic cive would be overtaken by large-scale fighting.

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Gibraltar faces new Spanish blockade

BY EDWARD OWEN IN MADRID AND MICHAEL BINYON DIPLOMATIC EDITOR

QUESTIONS are to be asked in the Commons about renewed delays on the border between Spain and Gibraltar after Madrid's imposition of new controls on the pretext of reinforcing the Schengen agreement with increased vigilance at external European Union frontiers.

Andrew MacKinlay, the Labour MP for Thurrock, is due to ask the Foreign Office tomorrow what the Government will do in response to new Spanish controls that have led to delays of up to 45 minutes for pedestrians and two hours for cars.

The Foreign Affairs Committee is to question David Davis, a junior Foreign Office Minister, after reports that Spain is threatening to introduce sanctions against Gibraltar for refusing to crack down against the Rock's multi-million-pound tobacco and drug smuggling industry.

The move, expected to be announced next month, comes after the failure of tripartite talks between Gibraltar, Spain and Britain, established to stop what Madrid calls "illicit practices" on the Rock.

Javier Solana, the Spanish Foreign Minister, mindful of forthcoming regional elections, has also promised to make Britain "pay the bill" for supporting Canada during the recent North Atlantic fishing dispute.

Threats of increased restrictions at the troubled frontier between Gibraltar and La Linea will cause alarm on the Rock, where the economy depends largely on day trippers to compensate for the income lost since the withdrawal of the British garrison.

Details of the threatened sanctions have not been revealed, but those that have been mooted by the Spanish Foreign Ministry include a partial naval blockade of the Rock, virtual paralysis of the land frontier, and fiscal penalties for the many Gibraltarians who commute to Spain.

Police in Germany 'use torture'

German police are subjecting foreigners to "cruel, inhuman or degrading treatment", sometimes amounting to torture, according to Amnesty International (Eve Ann Fenwick writes).

There is "a clear pattern of police ill-treatment of foreigners and members of ethnic minorities", Amnesty says in a report likely to embarrass the German authorities, coming just a week after President Herzog spoke at VE-Day commemorations of his country's "collective shame" over Germany's Nazi past.

60 die in crash

Delhi: An Indian freight train apparently ignored a stop signal and crashed head-on into an express passenger train near Salem, in southern Tamil Nadu, killing at least 60 people and injuring 200. (AFP)

Rebel setback

Tekran: Afghan government troops recaptured Zarij, a key town in south-west Afghanistan, and drove the student-led Taleban movement from its last stronghold in Nimruz province. (AFP)

Killer waves

Dili: Tidal waves triggered by an offshore earthquake killed one person and injured 26 in Dili, the East Timor capital. A few homes were destroyed and Dili's main port was closed because of damage. (Reuters)

Mental block

Blantyre: A Malawi judge has dismissed a government application for Dr Hastings Banda, the former President, to have psychiatric treatment to prepare him to face a trial on murder charges. (Reuters)

Old China

Peking: Chinese archaeologists have found the remains of a city dating back to the Yangshao culture of 4000 to 6000 years ago, the oldest of their kind, in the central city of Zhengzhou. (AP)

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Euro chiefs agree defence force for Mediterranean

By MICHAEL EVANS, DEFENCE CORRESPONDENT

A NEW European rapid reaction force was approved yesterday to provide extra security for the Mediterranean region at a time of increasing concern over the spread of extreme Islamic fundamentalism.

The new force, called Eurofor, which will consist of 10,000 to 15,000 troops from France, Italy, Spain and Portugal, was announced at a ministerial meeting of the ten Western European Union, the military organisation intended to complement Nato in underwriting European security in the new post-Cold War world.

The four countries plan to contribute infantry and light artillery units to Eurofor, which will have its headquarters in Florence. They also agreed to create a joint naval force, Euromarfor, spearheaded by a French aircraft carrier.

The two forces will be at the WEU's disposal for peacekeeping and humanitarian operations but will also be available for Nato. The troops assigned to the new force will be "double-hatted", and will only be drafted in for their new duties when circumstances require an immediate military presence.

Eurofor and Euromarfor join a proliferation of multinational units that have been formed since the end of the Cold War. Nato has split itself into a myriad of different multi-national units such as the British-commanded Rapid Reaction Corps. France and Germany also formed their own 50,000-strong Eurocorps, based in Strasbourg, which was subsequently joined by units from Belgium, Luxembourg and Spain.

The significance of yesterday's announcement at the WEU meeting of foreign and defence ministers in Lisbon was that it demonstrated a growing determination by the European members of Nato to create a security organisation that can operate without having to rely on the United States.

The WEU is to be the defence arm of the European Union as well as the European



One of Moscow's Metro stations which will soon be transformed by advertising and sponsoring of benches, flower beds and telephone booths. The idea is to halt the system's decay and prevent fare rises and job losses

Capitalism rides to the rescue of Moscow's overburdened Metro

FROM RICHARD BEESTON IN MOSCOW

SIXTY years after Stalin completed one of the biggest artistic and engineering feats of the Soviet Union, Moscow's venerable Metro is finally being dragged into the post-Communist era.

The capital's underground system, famed for its marble columns, art deco chandeliers and Socialist Realist artwork, is being forced to accept commercial advertising in an effort to modernise its service and cope with spiralling costs. For the first time, advertisements for Western consumer goods will take their place beside portraits of strapping Soviet workers and the city's last remaining busts of Lenin.

Although for the equivalent of 8p a Moscowite can travel anywhere beneath the sprawling capital, the system has scarcely been modernised since Stalin took a fateful test run six decades ago and became stuck in a tunnel for half an hour.

During the Second World War, the Metro became a refuge for Muscovites

seeking shelter as the Germans entered the city suburbs. During the Cold War, the Metro's reputation for fast, low-cost and crime-free mass transport was often cited by the Communist authorities as a shining example of socialism at work.

However, since the collapse of Communism rule and the rapid expansion of the city's population, the underground network has struggled to cope with its daily load of nine million passengers. Where Soviet matrons in uniform once ensured that criminals and litter stayed off their platforms, muggings have become as common as discarded banana skins.

The decay became most apparent last year when the Metro was plagued by a series of accidents, with one line suffering three minor collisions in two days. The system's director said that without further government assistance the authority would have to increase prices, close stations and lay off more than half of its 25,000 staff. Now with the promise of

advertising revenues and firms sponsoring everything from benches to flower beds and telephone booths, the city is confident the Metro will regain its reputation. The problem will be how to blend tastefully the unique Soviet artwork with modern capitalist advertising billboards.

Natalia Lyupanova, the deputy director of Metros, said precautions would be taken to protect the underground's appearance, particularly in the 44 architectural landmark stations. "Everywhere we place advertising we will first refer to the city architects for approval," she said. "All we want to do is improve our city."

The move to modernise the Metro is part of a campaign by Yuri Luzhkov, the city's energetic and powerful Mayor, who is trying to turn his bustling, grimy and crime-ridden capital into a modern, efficient city.

Leading article, page 17

Belorussia votes to strengthen ties with Kremlin

FROM ANATOL LIEVEN IN MOSCOW

BELORUSSIANS have voted overwhelmingly to reduce the independence of their former Soviet republic vis-à-vis Russia and to strengthen the powers of their populist President, Aleksandr Lukashenko, election officials in Minsk said yesterday.

Between 75 and 83 per cent of voters gave their approval to four questions establishing Russian as an equal official language with Belorussian, restoring the Soviet flag and symbols of Belarus, calling for economic integration with Russia and giving President Lukashenko the power to dissolve parliament. Overall, voter turnout was 64 per cent.

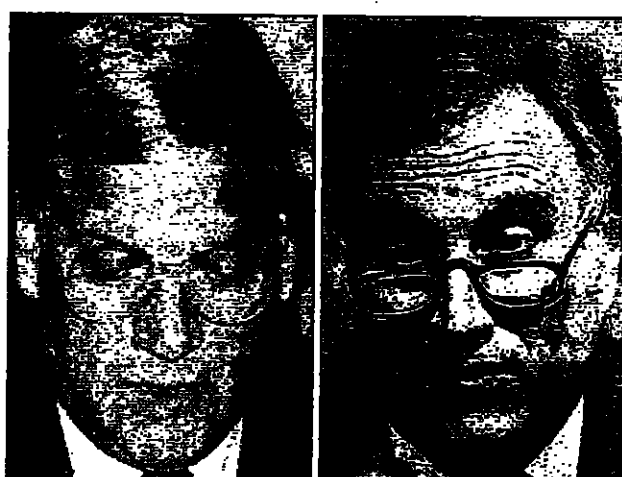
In the words of Mr Lukashenko, "Slav unity is the most important issue in our lives. If the people call for it, we will also have a political union that is even closer than the Soviet Union was. For the moment, I am talking about economic union."

Ruled over the years first by Poles and then by Russians, and traditionally attached to one or other of these linguistic cultures, the Belorussian people and their language have not so far gone beyond the level of a regional dialect group and there was no real desire for independence in 1991.

The fact that parliamentary elections, held simultaneously with the referendum, were a fiasco will also be pleasing to the President. In many constituencies the elections were invalidated because less than half the electorate bothered to vote. In others, the multiplicity of candidates was such that nobody achieved a first-round majority. In all, only 17 of 250 seats have been filled so far and several more rounds of voting will be necessary.

President Lukashenko treated the parliamentary elections with open contempt and, in what may be the first such statement by any head of state, signalled in advance his intention not to vote.

On Sunday, he crossed out all the names of candidates in his electoral district, saying that none of them was worth voting for.



Helmut Schäfer, left, and Jose Cutileiro, who both welcomed the strengthening of the WEU

Jonathan Eyal, page 16

Delay may thwart Major veto

FROM WOLFGANG MÜNCHAU IN BRUSSELS

JOHN MAJOR may lose the chance to veto any further extension of majority voting in the European Union if German pressure to delay revision of the Maastricht treaty is successful. The intergovernmental conference to revise the treaty is to start next year.

But the possibility of an extension of the conference beyond 1996 was aired yesterday by a senior German official, who said it would be "inopportune" for the outcome to coincide with an election campaign in Britain. So far, it has been widely expected that the conference would begin in

early 1996 and conclude before the end of that year, possibly at a summit due to be held in Ireland in December 1996.

Before the EU summit in Madrid this December, diplomats will have to strike a balancing act between Italy's wish to see the start of the conference during its own presidency in the first six months of 1996, and the desire to extend the intergovernmental conference beyond the British general election, which must be held by May 1997.

Bonn is adamant about extending majority voting on European legislation before

taking in countries from Central and Eastern Europe. The argument is that decision-making would become unwieldy if current blocking thresholds survived in a Union of 20 or more member states.

More controversially from a British point of view, Germany supports some form of majority voting in foreign policy and interior and justice affairs, which are now subject to national vetoes.

Mr Major has already threatened to block any further EU moves to extend majority voting.

Tomb for 50 royal sons unearthed

FROM REUTER IN CAIRO

ARCHAEOLOGISTS working in the Valley of the Kings in Egypt have uncovered a vast royal tomb that may be the biggest pharaonic burial chamber yet found. Egyptian authorities said yesterday.

American archaeologists explored the tomb, containing at least 67 chambers, in February and it is believed that 50 of Ramesses II's sons may have been buried there 3,000 years ago.

This may be the biggest burial chamber found in Egypt so far. Egypt's Supreme Council for Antiquities, quoting Kent Weeks, an American Egyptologist, said: "Abdelhalim Nourredin, head of the antiquities council, described it as magnificent, even though it was in poor condition and had been looted."

The entrance to the tomb was discovered last century in the rugged limestone walls of the valley, 30 yards from the tomb of Ramesses II, but floodwater debris had blocked off all but three of the outermost chambers.

In February the Weeks team found a passageway leading past 20 chambers to a statue of Osiris, the god of the underworld. The corridor then divided into two more passages, each with 20 rooms, which end in stairs leading, perhaps, to more unexplored rooms.

Most royal tombs in the valley are simple structures with a single corridor leading to a main burial chamber. "This is a tomb of unique design and size from a crucial period in ancient history," Mr Nourredin said.

Kinkel poll defeats risk Kohl's leadership

FROM ROGER BOYES IN BONN

KLAUS KINKEL, Germany's Foreign Minister, yesterday refused to consider resigning as chairman of the Free Democrats despite the disastrous showing of his party in two regional elections.

"The worst thing we could do now is to lose our heads," said Herr Kinkel, an ally of Helmut Kohl, the Chancellor. The fighting words could not dispel the impression that Herr Kinkel and the Chancellor are in trouble. The Free Democrats have lost 12 recent polls and appear to be heading for parliamentary oblivion.

Yet Herr Kohl needs the party to stay in power. The alternative is a coalition with the Social Democrats, which would at best be a clumsy, elephantine marriage.

The weekend elections in North-Rhine Westphalia, which has more than 13 million voters, and the city state of Bremen have shown key trends. The Social Democrats, the incumbent Government in both states, have lost votes and will have to strike deals with the Greens. That has added weight to the possibility of a Social Democrat-Green alliance emerging as a likely alternative to Herr Kohl in the 1998 elections. If the two left-leaning parties co-operate on programme, and policy, and if the Free Democrats continue to shrink, Herr Kohl's Christian Democrats could be levered out of power.



Kinkel: refuses to consider resigning

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Yesterday, a *Times* leading article praised the *chutzpah* of Alison Hargreaves, who has just become the first woman to climb Everest without oxygen. There is a certain cultural dissonance here of course: if one were to divide the world into areas of Jewish and gentile achievement, the ascent of Everest would have most resolutely to be put down as a Jewish thing. Somehow schlepping up mountains just doesn't seem to be a very Jewish thing. For all that the word was well-chosen, implying as it does a certain unseemly audacity, a courage for which one has a sneaking regard only on account of its sheer recklessness. The term denotes bravery pointedly devoid of any moral content: which is to say not bravery at all.

But I did acknowledge a sneaking regard. It takes some sort of courage and bullish determination to do what Hargreaves has done, and I do see the particular point of showing one's

Something is wrong with the mountaineers who put their need for escape before their families

Noble impulse or just neurosis?

strength and staying power specifically as a woman. I am quite bowled over by the way in which she was so ungracious in triumph: apparently she has scornfully claimed — and this is a reference to the first woman who got to the top of Everest, with the benefit of oxygen — that "if I'd wanted simply to climb Everest, I would have gone years ago. But a big expedition with Sherpas and bottled oxygen virtually guarantees the outcome".

Hargreaves's husband boasts on her behalf that the only other person to have made it to the top "unmasked, alone", Reinhold Messner, had a much easier line of ascent because of the prevailing

weather conditions. But as quickly as my regard sneaks in, it sneaks out again. We are accustomed to thinking of the very human desire to conquer nature as an admirable characteristic. To any right-minded person it comes across as not so much a noble impulse, more a neurosis. Hargreaves gives it away herself. Apparently she plans a mere fortnight's rest before setting off on another jaunt, this time to climb a mountain with a less evocative name: K2, where there are people in real danger, who live — though not for long — in



NIGELLA LAWSON

There are those who feel that they are truly alive only when they are risking death. But this is a worrying rather than laudable trait. Something is wrong with people who feel a pathological need to escape from the everyday here and nowness of life. Some of them become junkies, others go in for mountaineering. I have no time for people who risk their life in a vain glorious attempt to be praised for courage. Every-

famine, with terminal cancer, at war. If the Alison Hargreaves of this world really value life so little maybe we should not worry on their behalf if they lose it.

There are, of course, the children. Alison Hargreaves has two, under six — not that it is any more culpable to be a mother and risk your children's happiness and security unnecessarily than it is to be a father who does the same thing. Either way it shows a reality-denying self-centredness.

To want praise, to want to achieve something is not so despicable, but it is the disparity between the essential futility of the deed and the breast-swelling

brouhaha that greets the achievement that makes this sort of me-first mountaineering so contemptible. Though no doubt we will all applaud like mad when the world's first one-legged blind man walks backwards up the North Ridge of Everest, bravery is only commendable, is only bravery, if the risk is worth taking because of what stands to be gained.

● A FRENCH *soi-disant* sexual scientist claims that women who are worried about being pestered by men on the beach this summer should go topless. He's right of course: the men who will do the least, most intrusive whistling and jeering are often the most easily embarrassed. Exposure could well be the way to keep the wolves at bay.

I'm almost convinced. But — call me suspicious — it occurs to me that this may be nothing less than a clever Gallic ruse on behalf of ogles everywhere. My costume shall remain in place.

The fate that awaits Jemima

Christopher Thomas on the strict Islamic lifestyle that Imran Khan's fiancée can expect in Pakistan

Jemima Goldsmith faces the shock of her life. The shackles of a strict Islamic society will clamp invisibly but firmly shut the moment she steps out of the Very Very Important Persons (VVIP) section of Lahore airport into the thick heat of the Punjabi summer. She will reel from a sea of whiskered taxi drivers barging and bellowing for business, unchecked by the policemen waiting in the shadows for opportunities to extort money. She is unlikely to see any women, save for the occasional gold-draped wife of a drugs baron or corrupt politician hurrying to the First Class lounge.

The treatment of women will shock her

Even they have to toe the line: the westernised Benazir Bhutto had to metamorphose out of jeans into ethnic garb, head covered at all times by a *dupatta*. She found it politically necessary to have an arranged marriage, and all four of her pregnancies brought protests from fundamentalists that she should be at home with the children.

If Jemima goes to a restaurant in the exclusive Gulmarg district of Lahore she will be able to count the women customers on a couple of fingers.

There will be no wine on the menu because it is illegal, although some restaurants can be

persuaded to pour illicit liquor into teapots. If Jemima fancies a regular tippie she will have to get to know the neighbourhood bootlegger, a shady character who comes at night, bribe money at the ready for a sharp-eyed policeman. Almost everybody in the upper classes drinks, often ferociously, but never in public. What is good for the elite is bad for the masses, who are severely punished for boozing.

Jemima plans to work at a



Jemima Goldsmith and her Pakistani counterpart: she will see few women dining in restaurants, and there is no nightlife for her; even upper-class women must toe the line



newspaper in Lahore. If it happens to be at the office of *Dawn*, she will have to negotiate the traffic turmoil on the Mall and find a little door with peeling paint, beyond which lies a stinking staircase that rises into a clutch of offices covered in the grime of generations. The atmosphere is one of penury and unremitting boredom. Reporters in Pakistan are talented but appallingly poor. Not so their proprietors, many of whom are mega-rich charlatans. One of the country's principal English-language newspapers is owned by a drugs baron who lives in a castle in the Khyber.

The nightlife Jemima enjoys in London does not exist in Pakistan: no clubs or bars, no theatres she would care to visit, no culture she could understand save for the occasional event staged by the British Council, which has a substantial presence.

In her spare time Jemima might decide to explore the lifestyles of lower-class women. She would soon find a pile of reports from Amnesty International and other human rights organisations portraying a country that could be from the Dark Ages. Women are jailed for

being raped, and once behind bars they stand a good chance of again being molested, this time by policemen. Under Islamic rape law a woman must provide four male Muslim eyewitnesses to prove that there was penetration: the testimony of women carries no legal weight.

Jemima will hear a lot of dinner-table tut-tutting from the elite about the Hudood Ordinances, or Islamic penal laws, which criminalise adultery. Punishments include stoning to death and public flogging. A woman who fails to convince police that she was raped runs the risk of being

prosecuted for adultery or illicit sex.

Jemima may feel like exploring the plight of religious minorities. She will find that Christians are mostly at the bottom of the social heap, doing the meanest jobs and frequently suffering physical persecution. Jews are hated, which could be a problem for her, given that Sir James Goldsmith, her father, is half Jewish and a good friend of Israel. The Islamisation of Pakistan's civil and criminal law since the early 1980s has undermined freedom of religion, but Jemima's conversion to Islam will shield her from

the national tendency to worst religious bigotry.

Karachi, the provincial capital, is at war with itself in a complex web of conflicts. In the newspapers she will read about the daily tally of killings in Karachi, about rooftop snipers who pick off police for the hell of it, about gunmen who massacre worshippers in mosques, and about the pervasive drugs culture.

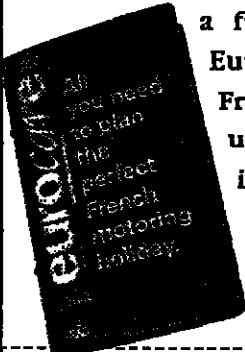
Pakistan is a million miles from the green pastures of Richmond, and Jemima will find it hard to be truly accepted despite her conversion to Islam. Pakistan has an old, traditional, race-conscious society with a low tolerance for outsiders, even if the outsider happens to be the wife of Imran Khan, the most popular man ever to walk the young Islamic state.

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Some British women tell Lucy Berrington why they married Muslims

MS GOLDSMITH would find Muslim life easier were she to stay in Britain than move to Pakistan. "The light of Islam is rising in the West", say new recruits, quoting the Koran.

Estimates of the numbers of "new British Muslims" range from 10,000 to 20,000. The vast majority appear to be women, as in the United States where the ratio of male to female converts is one to four.

Western women observing this rush for the *hijab* (headscarf) tend to stare in disbelief, broadcasting the worst excesses of "Muslim chauvinism". Yet female converts, typically well educated, merely pontificate on the failure of western feminism, chuck away their make-up and micro skirts, gather up their babies and university degrees and march resolutely to the mosque.

Nouria, 38, a former Protestant who converted in 1974 after discovering verses of the Koran in a London dustbin,

Women's Libbers in headscarves

has five children by her Egyptian husband, revels in the wisdom of American feminist guru Camille Paglia and is taking a degree in gender studies. She says:

"Women say I am a traitor to my sex, but I could say the same about most of the women in this country. They have been defeminised. But Muslim women are cherished and have a dignity completely absent from western life. Everything the feminist movement is aiming for, except lesbianism and abortion, we've got."

Batool Toma, 40, was from an Irish Catholic background

but converted 16 years ago and works for the Leicester-based Islamic Foundation. "Western feminists often look on Muslim converts as a catastrophe. But women converts see that British society has deteriorated and want to revive the importance of the family," she says.

Emira Topham, 28, from Swindon, converted in 1993 after suffering a personal crisis marked by drugs, alcohol and fruitless sexual relationships. An art student, she was feeling suicidal when she discovered Islam through a study of Moroccan art. She married a Muslim convert,

taking on his five children and having three of her own, a process that brought "tremendous freedom".

"Everyone said having babies was tying myself down, but I saw it as the opposite. It was very liberating. One of the major life decisions was out of the way. Embracing Islam was the same." In practice the most divisive aspect of Islam was choosing to stay at home caring for her children, confounding a need to define British women by their careers.

KRISTIANE Backer, the MTV presenter and Imran Khan's most recent ex, found Islam a "beautiful" religion, praising its coherence and emphasis on social justice. Still, Ms Goldsmith might bear in mind that Islam, so ready to receive her, would be rather less tolerant of any subsequent change of faith. And, while reveling in her tag as the girl who converted to Islam, she might pray she is the only wife he takes.

Rewarding work with children

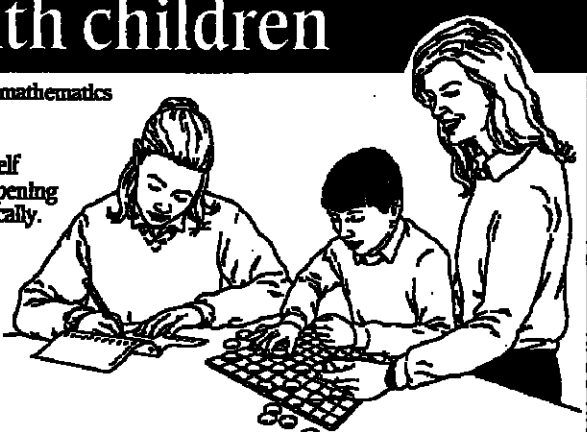
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Dr Thomas Stuttford's plain guide to the health checks every man and woman needs each year

The tests that will set your mind at rest

Why sensible screening should be available for all adults

The old-fashioned doctor needed sharp powers of observation if he was to be a diagnostician. The signs which can be seen with the naked eye, felt with the hands, or heard down the stethoscope, remain important, often crucial, and the modern doctor still needs to be equally vigilant. The hallmark of a good diagnosis is to have detected the presence of disease before its signs and symptoms are so gross that no third-year student could have missed them.

The value of screening in terms of its cost-effectiveness is often disputed, but never by those who owe their life to a wary doctor who has spotted some change during routine examination. Clinical examination which includes of course listening to the heart and taking the blood pressure remains of paramount importance.

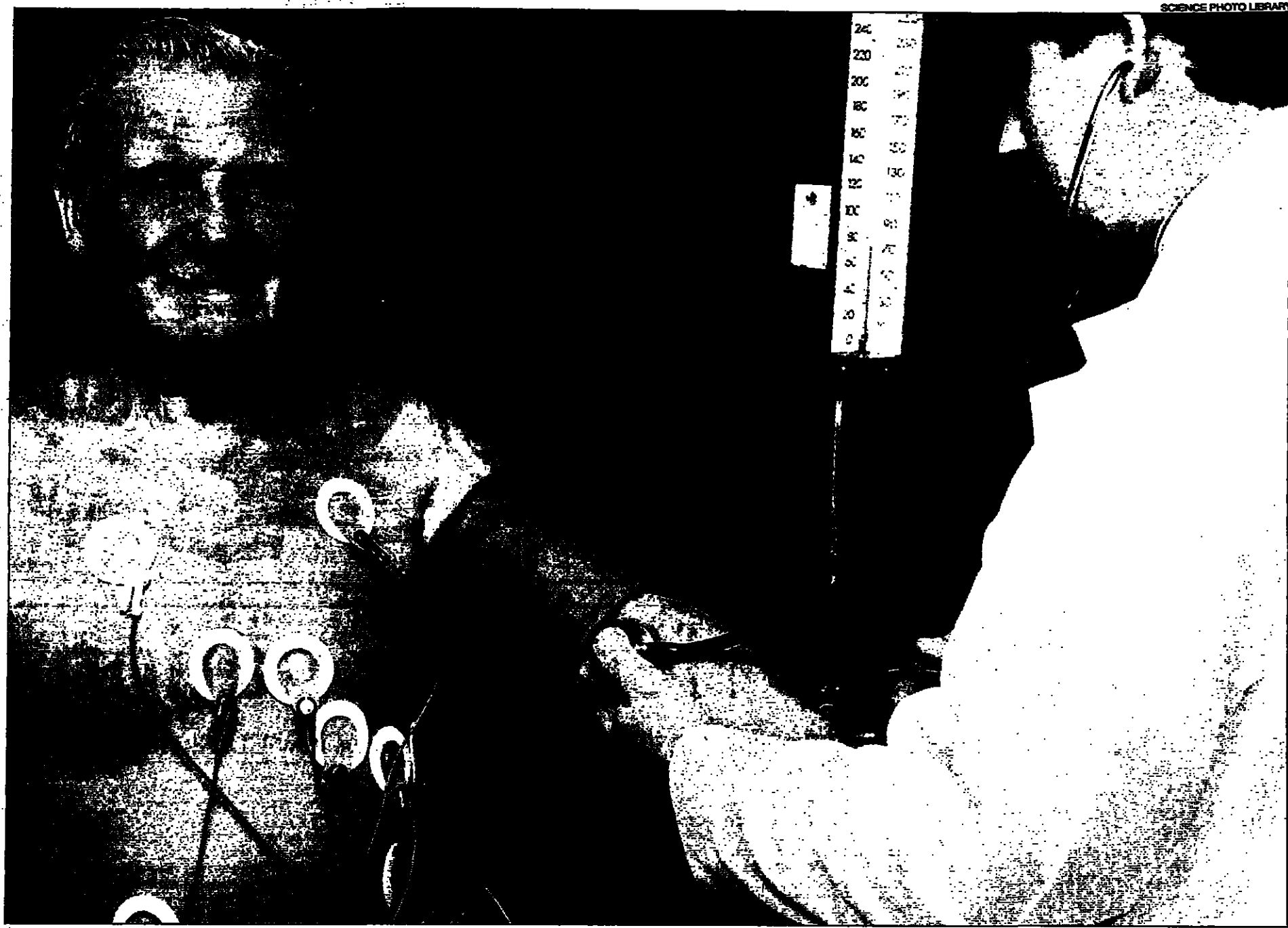
Chest X-ray is no longer considered obligatory but is indicated in older patients, smokers and those who travel. In any routine examination the blood test is all-revealing. This will show who is anaemic. Unexplained anaemia needs full investigation, for all too often it can point to unsuspected cancer of the gastrointestinal tract. The blood count, together with the ESR, a non-specific blood test which when raised introduces suspicions of inflammatory, infective or malignant disease, may expose rare forms of anaemia, or suggest the presence of leukaemia, lymphoma or myeloma. The standard laboratory biochemical profile of the blood gives an indication of liver and kidney function, calcium metabolism, any tendency to gout, or diabetes.

It is no longer adequate to know the overall cholesterol level. The relationship between the high density, the so-called good and possibly cardio-protective lipoprotein cholesterol and the low density lipoprotein which is closely associated with a liability to the cardiovascular disease is important to all who wish to punish their firm's pension funds.

Any change in a biochemical reading is important. Regular, steady increase year by year for instance in the serum creatinine level may be the first sign of potentially lethal kidney damage and herald it long



Dr Thomas Stuttford



Patient undergoing a resting electrocardiogram at St Bartholomew's Hospital: screening has been criticised for its cost, but never by anyone whose life was saved as a result

before it can be detected by urine examination and it is hoped before it has had time to cause irreparable damage. Changes in the gamma GT, a liver function test, may be related to nothing more sinister than an expanding waistband, but it could be the first sign of increasing reliance on the whisky bottle or of incipient liver disease.

Women from the age of 40 onwards need annual examinations of their breasts with mammography, this test may be indicated at an earlier age if the woman has a family history of breast disease. The objective must be to detect lumps at a time when they are so small that they cannot be felt. Mammography is increasingly followed by ultrasound examination, preferably using one which incorporates a colour doppler system which exposes the blood supply to the breast. The blood supply is increased in cancerous tissue. Ultrasound examination of the ovaries would be desirable for all women in middle age, and is strongly recommended for those with either a family history of ovarian or breast cancer. Blood tests to detect cancer of the ovaries are still disappointing as they give rise to too many false negatives. The density of women's bones should be measured, preferably with an ultrasound bone densitometer.

Detection of coronary heart disease is as important in women after the menopause as in men. The resting ECG as a diagnostic test for heart disease is criticised because it misses so much coronary arterial disease, but when coupled with a careful interrogation, and by a pessimistic interpretation of the tracing, it can give valuable information. An exercise ECG on a treadmill is more effective and could well be recommended for middle-aged men every five years, but false positives are common.

Ideally, men over 55 should have an ultrasound of the aorta to detect aneurysm at a time when it is operable; this becomes increasingly important if the men are diabetic, hypertensive or have other evidence of hardening of the arteries.

The early detection of cancer of the prostate has previously been neglected. The PSA, a blood test, acts as a guide,

sorting out those who need further investigation. A man over 50 should be as conversant with his PSA level as an army recruit is with his personal number.

Guts are a potential source of trouble. Routine testing for, and if indicated the eradication of, *helicobacter pylori*, the organism associated with indigestion and ulceration, will in time, it is hoped, reduce stomach cancers. Chronic heartburn warrants examination by endoscopy. Those patients with a family history of cancer of the bowel, a change in bowel habit, or rectal bleeding, should be examined with a colonoscope. The first signs of cancer of the

bladder may be microscopic quantities of blood in the urine which cannot be seen but only found by testing with a dipstick. The Bard test picks up the presence of malignant cells in the urine, and unfortunately can give a high number of false-positive readings.

Surgeons has a role for younger groups too for this is a time when baseline can be established. Young men also need to be encouraged to examine their testes and, if there are changes in size or shape, to have access to ultrasound. Testicular cancer is still the most common solid tumour found in men under 45.

All women once they have become sexually active require cervical smears, preferably annually. The official

interval of two years is too long; within the past couple of months I have seen two patients with advanced pre-malignant disease who had normal smears within the past three years.

Bupa, with whom I have worked for nearly 25 years, popularised medical screening and remains the brand leader. They have a chain of screening units and are in the process of updating their facilities; some of the newer tests will be offered as part of the standard package, others will be available à la carte.

The Nuffield and BMI (British Medical Insurance) hospital groups also have nationwide centres and an increasing number of other private hospitals and doctors offer similar facilities. Some centres are more concerned with estimating the physical fitness, in terms for instance of playing strenuous sports, than detecting disease; these may appeal to younger clients.

Dr Jan de Winter's, Brighton Centre, (01273 727213) is unique. It is a charity and those who can pay the cost price, those who can't pay a reduced fee. Surprisingly it is one of the leaders in screening and already offers as routine

many of the tests not yet universally available. In most centres, the cost of the provisional basic screen (routine blood-tests, ECG, chest X-ray, hearing and vision tests, physical examination, mammography and smear), which has remained unaltered for about 20 years, is between £300 and £360. This does not include the price of the screening tests now being introduced.

Scientists are dismissing their old theories

Will a fruit and vegetable diet make you live longer?

For at least a decade, the nation's dietary guardians have been preaching the damage fat can do. Blamed for the western world's greatest killer, heart disease, fat has been given a starring role in the demography of diet. *Health of the Nation*, the Health Department's recipe for long life and happiness, rates the reduction of total fat and saturated fat in the diet as top priorities.

Yet no large long-term trial of reducing total and saturated fats for the primary prevention of coronary heart disease has even been conducted, says a leading British specialist, Professor Michael Oliver of the Royal Brompton National Heart and Lung Institute. And the trials that have been done provide no basis for such recommendations.

Professor Oliver recently told a conference in New York just how inadequate the evidence is. Reducing fat does not appear to have any worthwhile effect on death rates. Only trials in which some other risk factor, such as

Nigel Hawkes on the results of the latest research in heart disease

smoking, was also altered have shown any clear benefit. "It is high time this paradoxical situation was addressed and questioned," he said. "Government, health departments and many health educationists are rigid in the belief that reducing dietary fat is beneficial... Vast sums of money are being spent on nutritional programmes, dietitian advice and nurse counselling in pursuance of diets which may be completely ineffectual."

He cites six trials of reducing saturated fat, along with other measures such as cutting smoking, reducing blood pressure and increasing exercise. Most showed no benefit in reducing deaths from heart disease or deaths from all causes.

Conversely, he says, trials in which the quality of fat was altered do show impressive, consistent and encouraging

immune response which leads to damage to blood vessels and clot formation. If so, then anything that increases oxidation will lead to more heart disease, and anything that reduces it will be protective.

Take fruit and vegetables, which are known to contain anti-oxidant vitamins. Diets high in them appear to protect against heart disease, as the theory predicts. Indeed, as the National Dairy Council points out, the amount of fruit and vegetables eaten in different parts of Britain is a better predictor of heart disease than fat.

More is eaten in the South, where heart disease is lower, than in Scotland, one of the world's heart black spots. The poor eat less fruit, and suffer more heart attacks. Irishmen who emigrate to Boston suffer less heart disease than their brothers back home, and the only difference is the fruit and vegetables they eat. The theory also explains why smoking is such a potent cause of heart disease, since its effect is to oxidise LDL. It is consistent, too, with studies that link heart disease risks to total cholesterol, since the more cholesterol there is, the more there is to be oxidised.

So instead of cutting fat and cholesterol we ought to try harder to prevent the oxidation of LDL. But let's be sure of the facts before we start another dietary wrong-turn and the public might begin to notice.



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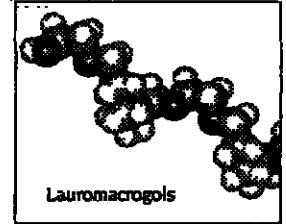
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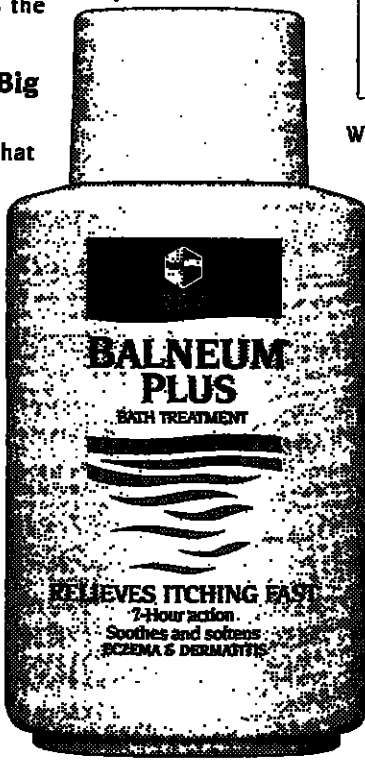
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Who pays the party pipers?

Michael Pinto-Duschinsky on better ways to fund politics

It is easy to sympathise with the Prime Minister's refusal to permit Lord Nolan and his colleagues to consider the vexed question of the reform of regulations about party and campaign funding. In its recent report, the committee showed that it was prepared to reach conclusions based on little or no evidence.

For instance, Lord Nolan's conclusion that he had uncovered no evidence of widespread corruption in British public life was hardly surprising, given that he had refused to consider any individual cases or groups of cases of alleged misconduct. Yet this did not deter the committee from recommending several dozen reforms. John Major has a reasonable case for deciding that this is not the most suitable forum for considering whether there is a case for public subsidies to party organisations.

All the same, it is imprudent and unrealistic for him to think that he can avoid serious discussion of this subject. If he is not prepared to take part in the debate on institutional and constitutional reform, Conservative arguments will be lost by default. Labour and the Liberal Democrats will continue to set the pace.

Such organisations as Charter 88 and the Institute for Public Policy Research have spent years arguing the case for institutional change. Now, two detailed studies are under way: the Nuffield Foundation's investigation into the constitution (based at University College London), and a "democratic audit" of the United Kingdom being carried out at the University of Essex.

The policy work being conducted by the opposition parties is the most detailed since that of the Conservatives before the 1970 general election. Labour and the Liberal Democrats are agreed on the need for public subsidies for political parties, and for restrictions on large contributions from individuals and companies, especially from abroad.

The Lib-Lab case for making taxpayers foot most of the bills for election campaigns and for maintaining the parties' headquarters is in line with practice in most European countries. This week, the Council of Europe is gathering an international group of experts to consider whether to draw up a code for the funding of political parties on the lines of the European Convention on Human Rights. The draft under discussion is based on two assumptions: that political donations should always be disclosed, and that state funding is the best way to ensure that elections are fairly and efficiently run.

Yet European experience shows that reform based on these principles creates as many problems as it solves. All too often, leaders of opposition parties have colluded in contravening the laws. Where the restrictions on fundraising have been applied to party organisations, they have been sidestepped by creating nomi-

nally independent but actually linked organisations, such as the German "party foundations" or similar bodies free from these controls. Donors wishing to conceal their political gifts have found it easy to evade laws about disclosure by redirecting their money through such channels.

Countries such as Italy and Germany have experienced problems relating to corrupt secret payments for election campaigns that have been far more grave than anything encountered in Britain. Yet both countries have elaborate laws about the disclosure of political payments and generous subsidies for all parties regardless of electoral support.

Should subsidies be based on a party's past electoral performance (disadvantaging emerging parties) or on support at the next election (which makes it impossible to determine the level of subsidy while the campaign is being fought)? Is it fair to base public payments on the number of party members, or on voting support? What is certain is that where there are public subsidies, such arguments are not decided on their merits, but by bargaining between party bosses. Where a party has a pivotal position in such negotiations (such as the German Free Democrats), it will be able to win a favourable deal. Hence the generous treatment of the "party foundation" attached to the Free Democrats.

Rather than making parties reliant on state handouts, there is a strong case for encouraging them to concentrate on raising money from ordinary members. However, Mr Major cannot ignore the fact that Tory membership has been plummeting, and that with it has gone his party's capacity to raise money from subscriptions, rallies, and wine-and-quirque events.

If the Tories wish to oppose state funding of politics, they will need to suggest alternative reforms to encourage small donations from supporters. In Canada, Germany and elsewhere, such donations have been stimulated by making them free of income tax or by matching them from public funds.

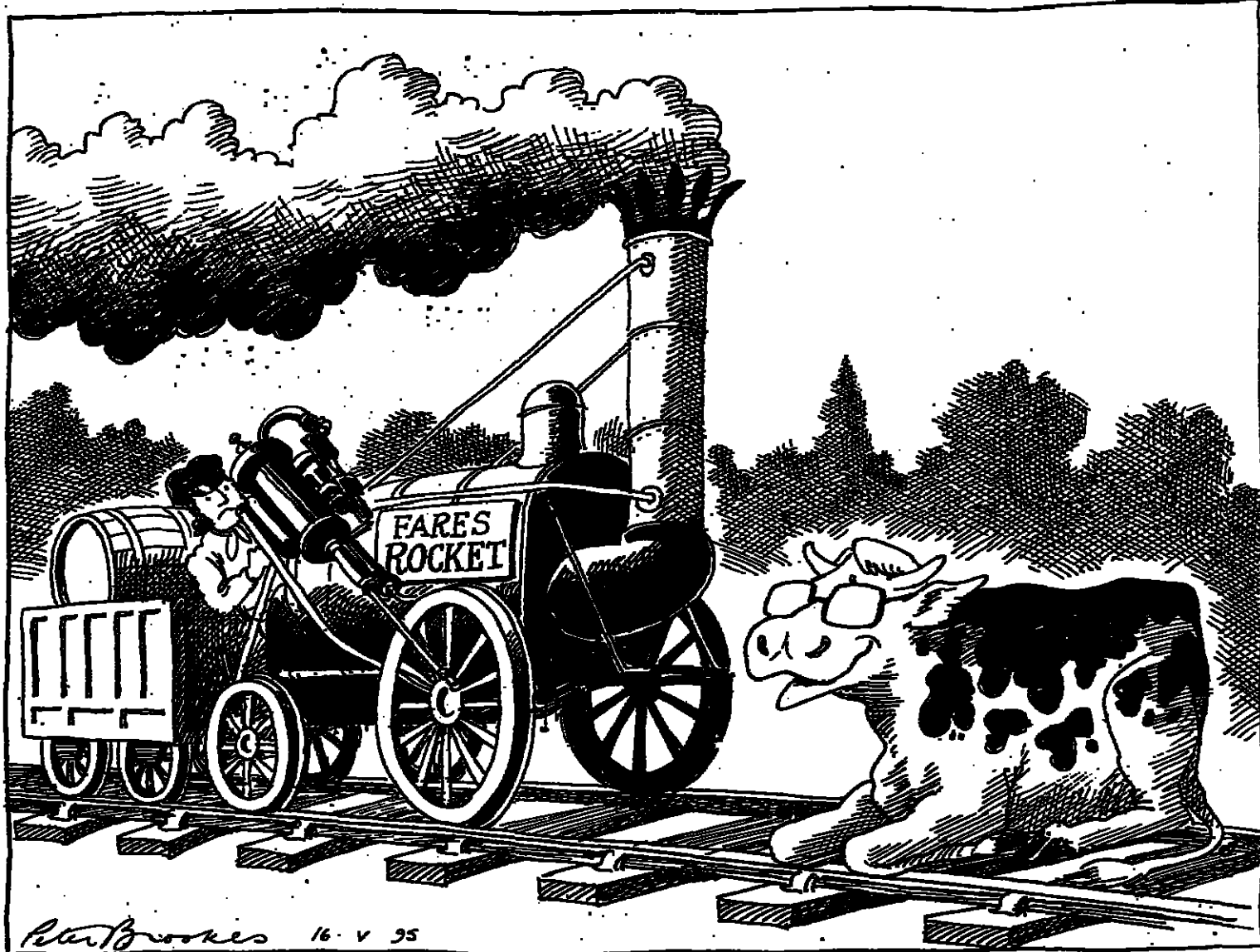
If Britain followed the Canadian model, every pound raised as a membership subscription (up to, say, £20) would be matched by £2 from the Treasury. From £20 to a maximum of £40, the matching grant would be pound for pound. This would encourage parties to recruit members, and would not give party organisations something for nothing. Another way to encourage participation in political fundraising would be to make company contributions dependent on shareholders' ballots.

The idea that Europe remains an incomplete power as long as it does not have a centralised government and a standing army appealed at first only to those who sought safety somewhere between a capitalist United States and a communist Soviet empire. But the collapse of the Eastern bloc gave the idea new respectability. The continent is still surrounded by wars, but they are less intense, and since America is clearly tired of underwriting our security, a European defence identity, the bureaucrats in Brussels argue, is simply a matter of common sense.

The Maastricht arrangements of 1991 are a classic compromise between the countries that wanted to uphold existing organisations (such as Nato) and those that argued for a radical European security structure.

On the one hand, EU members pledged themselves to a "common defence policy, which might in time lead to common defence". But on the other hand, foreign and security policies were left to the member governments, acting in the Council of Ministers, rather than the supra-national Commission. The British Government claimed this as its own triumph: as long as the entire process of creating a European defence identity was gradual and controlled by nation-states, there was, London argued, nothing to fear. In practice, however, officials in Brussels are still determined to prove that what was not in the treaty can be achieved by stealth.

The British said that creating a separate European security organisation would at best duplicate Nato, and at worst drive the Americans out of the continent. But this was undermined by Washington. The Administration's belief that America's policies have been unduly Euro-centric, and need to be redirected towards Asia, was backed by a flood of statistics on trade, all supposedly indicating that Europe's economic importance is



Defend the nation first

Jonathan Eyal says new EU alliances are no substitute for American power

To judge by the meeting of the Western European Union that ended yesterday in Lisbon, governments are at long last determined to break the infuriating cycle of disputes that has paralysed Europe's military arrangements since the end of the Cold War. For the first time, the countries of Central Europe attended the meeting, showing how old ideological divisions are being erased.

The WEU, which is widely seen as the European Union's future security arm, concentrated at the summit on pinpointing future threats. Europe's Mediterranean states, for instance, are creating new forces intended to meet the menace of instability in North Africa.

Yet the meeting simply postponed a major political confrontation. The debate about Europe's new security arrangements closely resembles the battle over monetary union: a collection of arcane proposals in which "vision" always rates higher than reality, the "process" is more important than the aim, words stand in for deeds and everything is suffocated by a mixture of acronyms, theological interpretations of incoherent treaties, hot air and outright deceit.

The bedrock of all military relationships for the past 50 years has been the assumption that military alliances are not merely desirable, but vital. Furthermore, the continent did not wait for the European Union to invent the idea of military cooperation: it was the North Atlantic Alliance, not the EEC, that accommodated Germany's rearmament in the early 1950s, while Community officials were still preoccupied with regulating the size of eggs, usually without bothering to consult the chicken.

But Europe's current defence debate is not concerned with the principle of military cooperation. Rather, it is almost entirely driven by people with no inkling of real military capabilities, a gaggle of individuals more interested in who should run Europe's military establishments than with what these are designed to accomplish. Just as monetary union is intended to signify the victory of politics over economics, so the creation of a European defence programme is supposed to represent the ultimate triumph of bureaucracy over history.

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not have a centralised government and a standing army appealed at first only to those who sought safety somewhere between a capitalist United States and a communist Soviet empire. But the collapse of the Eastern bloc gave the idea new respectability. The continent is still surrounded by wars, but they are less intense, and since America is clearly tired of underwriting our security, a European defence identity, the bureaucrats in Brussels argue, is simply a matter of common sense.

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now eclipsed by the potential of the Pacific economies.

Now while it is true that America trades more with Asia than with Europe, the EU, similarly, trades more with Asia than with the United States. Constructing a new security pecking order out of this is childish, and Washington has subsequently withdrawn from such comparisons. Nevertheless, America continues to urge Europe to do more in its own defence. And it is here that the discussions have become dangerous.

In practical terms, "Europe" can do precious few things on its own. Without the Americans, the continent would have little in the way of logistical infrastructure, communications, intelligence or air transport capacity — to name but a few of the crucial ingredients in any credible defence. Duplicating the American capacity would require an additional annual expenditure

of more than \$100 billion for the next decade — a phenomenal sum which nobody is willing to pay. And the governments that talk about a European defence identity are those most eager to cut their military budgets.

It was agreed last January that the Europeans may be able to use Nato equipment for operations in which America is involved. Officially, therefore, circles can be squared: Europe can establish its own security arrangements without paying the bills. But the practice is quite different. No American president would be able to hire out his country's military equipment while abandoning any influence over how it is used. And even if the arrangement were made to work, it could apply only if the Europeans felt threatened enough to use force, and yet America felt disinterested enough to relinquish its equipment. Russia, the Balkans and North Africa are Europe's main problems today. In all three areas, the idea of a European action without American involvement remains fan-

The visionaries should ask how many soldiers would be ready to die for Brussels

cial. But flights of fancy are a EU speciality.

Europe's common security policy is not always a liability for nation-states. Indeed, as British ministers have discovered, pointing to some anodyne communiqué from Brussels is usually a good way to silence awkward parliamentary questions about far-flung places such as East Timor or Zaire.

Furthermore, there is little doubt that the threat of economic sanctions against a country is more credible if it is made by 15 states rather than one. But the problem starts when national interests are at stake. Britain's dispute with China over Hong Kong would have been helped by EU solidarity. Yet when this dispute was at its height last year, Germany's Chancellor Kohl was in Peking, bowing as deep as his portly figure would allow to the country's geriatric leaders in the hope of some lucrative trade contracts. Common foreign policy yes — as long as it does not cost a penny.

Europe is now teeming with paper constructions: the Eurocorps — the Germans and French spent a year working out the designs for their badges and common menus for their soldiers — is now joined by the Eurofor, created yesterday for the Mediterranean. But such structures are simply repackaging the dwindling military resources at Europe's disposal, and they are all designed to do everything in general, without doing anything in particular.

Britain is well placed to make changes, because no security structure is feasible without Britain. The Government made a good start in March by tabling a set of sensible proposals which envisage a greater role for the Western European Union, better consultation procedures and the allocation of some support staff to European institutions. But Britain must continue to insist that European security remain anchored in the wishes of individual nations.

In military affairs, being adventurous and visionary is not always a virtue. And it is incumbent upon those who dream up schemes to transfer security powers to the EU to answer a simple question: how many soldiers would choose to lay down their lives for the Commission and Brussels?

The author is director of studies at the Royal United Services Institute.

Rifkind's Scottish rift

Magnus Linklater on a minister's trial by radio

Malcolm Rifkind has one of those enviable memories that allows him to summon up literary quotations appropriate to the moment. He is particularly fond of Kipling's *"If"*: "If you can bear to hear the truth you've spoken / Twisted by knaves to make a trap for fools, / Or watch the things you gave your life to, broken..."

It is one he may have found himself reciting through gritted teeth last weekend, as he pondered a couple of unfortunate but revealing encounters with the media which landed him in the sort of trouble he is usually so good at avoiding. For a man with his courtroom skills, it must have been galling to find himself in the position of embarrassing his Prime Minister. His anger at the way he was reported — though it may have been partly with himself — showed in the course of an ill-tempered interview with John Humphrys on the *Today* programme, the first time I can remember him losing his steely self-control in public.

He had a point. It was monstrous for the BBC to quote only half of his answer to a Channel 4 question about Scottish devolution, so creating the impression that there had been yet another Cabinet split on policy. It was the kind of distortion that gets newspapers, quite rightly, hauled in front of the Press Complaints Commission. Mr Rifkind's actual words on television were: "I have no problem about the principle of devolution or of constitutional change if there are proposals which can apply throughout the United Kingdom and create a stable constitutional structure." Clearly he thought they wouldn't. The BBC, however, used just the first 13 words. The result was a misleading sound-bite.

It was not surprising, therefore, that when he was questioned about this on *Today* he became increasingly irritated when Mr Humphrys, by constant interruption, appeared to be denying him the chance to explain his position. But there are ways and means of dealing with rude reporters (he should talk to Michael Heseltine about this), and he gave the impression of being on weak ground.

But then his answer to the original question did seem an odd way to have handled such a sensitive issue. Only a few hours earlier, John Major had stated his unequivocal opposition to any separate Scottish assembly. Devolution, he said, threatened the very stability of the United Kingdom. When prime ministers say something they appear to mean, ministers usually feel the need to echo their sentiments. Why, therefore, should Mr Rifkind open a sentence by appearing to concede the principle?

One reason is that Mr Rifkind, remarkably for a politician of his experience, is not by nature a devious man — though he has a touch of lawyer's arrogance — and can be straightforward when others are less so. As Scottish Secretary, he was outmanoeuvred by his more brutal junior minister, Michael Forsyth, who had the ear of Margaret Thatcher and went behind his back to win her support. In her memoirs, Lady Thatcher was scathing about Mr Rifkind: "His judgment was erratic and his behaviour unpredictable," she wrote. She believed that he had been "a passionate supporter" of devolution, and had never quite shaken it off.

But Mr Rifkind's support of devolution has been based more on logic than passion, although as a Scot he understands the mood of the country better. Unlike Mr Major, he can see the respectable argument for devolution, since he has put it cogently himself. In Arnold Kemp's recent book on post-war Scottish politics, *The Hollow Drum*, he was straightforward about the views he held in the 1970s: "We had a policy which committed the Conservative Party, including Mrs Thatcher, to support the principle of devolution and the principle of a Scottish assembly of some kind," he said. "At that time we envisaged that assembly as having legislative powers." When Mrs Thatcher decided to oppose the second reading of Labour's devolution Bill in 1976, Mr Rifkind felt obliged to resign his position.

There are those who accuse him of performing since then a classic U-turn. But actually his views have remained reasonably consistent. Even in those days he opposed the idea of a Scottish parliament with executive powers, because he believed it created a risk of separatism. More recently, he has argued against Labour's plans, not on grounds of principle, but because he believes they are impractical. Only a truly federal solution could, in his view, solve the notorious West Lothian question and provide a balanced form of devolution throughout the United Kingdom. This would mean parliaments of equal status in London and Edinburgh, and devolved assemblies in the English regions. This is closer to the Liberal Democrat position than Labour's — but I would not want to land Mr Rifkind in any more trouble.

A cruder politician would simply have ignored the subtleties and hammered out the party line. But Mr Rifkind is not that kind. He suffers from that gravest of handicaps, the need to address the question,

Lady's second

THE LATEST test of government nerves comes not from Labour, and not even from Lord Nolan, but from Baroness Thatcher, who is about to launch the second part of the memoirs she began with *The Downing Street Years*. Senior Tories fear that in *The Path to Power*, to be published on June 12, she will deliver an "explosive" verdict on her successor.

The bulk of the book will deal with Margaret's childhood, marriage and motherhood, and the political years before she became Prime Minister in 1979. But according to one of her confidants, she simply could not resist penning a postscript on the post-1990 years. "It's classic Thatcher," he said. "She just feels the need to set out her views about what has happened since she left office."

Members of her circle doubt that she intends to add to Major's woes by castigating him personally. They suggest that she wants instead to indicate the direction in which she feels the country should be going, most notably on Europe. The closest possible secrecy shrouds the book at publishers HarperCollins. "We are not allowed to tell you anything," says

an unspokesman. "Not only that, but we have had to sign a declaration of confidentiality. The world will know soon enough."

Bonne chance

STAFF at Bonham's were on the crest of a wave yesterday, after carrying off first, second and third prizes in the inter-auction-room races at the Seaview Yacht Club on the Isle of Wight. Christie's and Sotheby's were trounced.

"Hugely enjoyable," said the chipper skipper Nick Bonham, who has sailed for Britain. "Everyone enjoyed it so much we are going to make it an annual event." The winner's trophy is a wooden gavel, says Bonham — not to be confused with a wooden spoon.

● A reader has spotted what he believes may be the first sell-by date of the new millennium in Sainsbury's. He picked up a can of Red Star sardines in vegetable oil with "Best before end January 2000" on the tin.

"Good grief, we can't all be utility bosses"

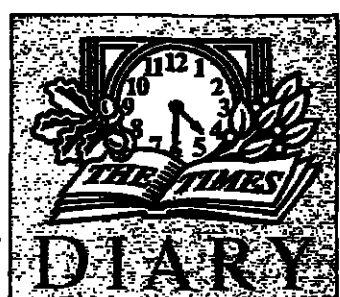
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Radio waves

PETER SNOW, the animated *Newsnight* presenter, was back at Oxford University on Sunday, arms flailing frantically. He was there to play croquet against Esther Rantzen at the launch of Oxford Student Radio, the university's first radio station.

But so energetic were the frenzied swings of his warm-up on Magdalen College's croquet lawn, that Esther visibly blanched and refused to participate. Despite being team captain, she chose to lead from the sidelines, along with



her husband, Desmond Wilcox.

"It's a very mean and vicious game. I didn't want to get involved," she said, leaving two undergraduates to take on Snow and his partner. "Peter was very strategic," reports my croquet correspondent. "He swung his mallet wildly and barked predictions as if it were election night."

Teamwork

THE FATHER and daughter partnership of the Earl of Lauderdale and Lady Olga Maitland is to break new political ground this evening. The Earl is to introduce his daughter's Bill on law and order to the House of Lords.

The Private Member's Bill, calling for tougher measures for prisoners who abscond, wasn't debated in the Commons for lack of

time. "So I have given all my notes and speeches to my father," says Maitland. "I have been briefing him carefully and keeping him in the loop. He's 84, but he picks it all up much faster than I do."

Queue tips

HARD-UP students are doing their bit for the Rugby World Cup in South Africa, which kicks off next week. They are offering to queue for tickets on behalf of those who can't be bothered — for just over £2 an hour.

They have set up a body called Rent-a-Student, which is co-ordinating the queueing, but they are sufficiently aware of life on a student's income not to take any chances. All payments are demanded up front.

Soft spot

TIM ROTH is famous for playing thinking thugs in such films as *Reservoir Dogs*, and he remains true to type in *Rob Roy*, portraying one of the most unpleasant characters in celluloid history: the hero's venal enemy Montrose. But beneath the frills and powdered wig of the film beats the heart of a true family man.

This became evident at the £1



million party in Edinburgh Castle's shadow to celebrate the European premiere of the Highlands epic. It was the most lavish event the city had seen for ages, with brown trout flown in to fill tanks in the specially constructed dance floor. But Roth left his co-stars Liam Neeson, Jessica Lange and 300 journalists to it. "His wife Nikki is expecting a baby any day, and he decided he just couldn't risk leaving her for the party," said a friend.

Tim Roth: absent friends

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P.H.S



THE LOCAL NURSE

The Royal College risks a momentous step for a wrong cause

When nurses were given their own pay review body in 1983, it was in direct recognition of their pledge not to take industrial action. The Government agreed to accept the recommendations of the independent body as long as nurses, midwives and allied professions undertook in return not to go on strike. Sometimes the recommendations have been hard for ministers to swallow; but they have been implemented nonetheless. Yet today, at its annual congress, the Royal College of Nursing looks likely to take the momentous step of changing its constitution to allow for industrial action.

The nurses have chosen an odd pretext. They object to this year's pay review body recommendation, which suggests an increase of 1 per cent across the board plus an extra rise between 0.5 and 2 per cent to be determined locally. The vast majority of nurses — around three-quarters so far — will receive the full 3 per cent, which is a bigger increase than doctors and many other public-sector workers will be offered.

The principle for which some nurses are prepared to sacrifice their long-held no-strike rule is that a nurse in Aberdeen should be paid the same as one in Aberystwyth or Aberford. Yet just because the health service is national does not mean that every employee in it has to be paid the same amount for the same grade. Its national character means rather that all British citizens have the right to healthcare that is free at the point of delivery, wherever they live. Already nurses accept the notion of a London weighting to recognise the higher costs of living in the capital. Why should not variations in costs be reflected in different salaries across the country, as they are in the private sector?

Almost all hospitals are now self-govern-

ing trusts. Yet 70 per cent of their costs are determined by pay, which until now has been outside their control. If they want to run themselves efficiently, they have to be able to allocate their budgets. To be able to set pay increases for nurses to reflect the local labour market makes eminent sense. It allows hospitals facing staff shortages to offer more than the going rate, encouraging nurses to move from areas where there is oversupply.

The nurses are also angry that some of the pay offers have been linked to changes in terms and conditions, especially on sick leave. Nursing is a stressful job, and is bound to produce its share of back injuries. Nurses should also be careful not to infect patients with their own illnesses. But it still seems suspicious that the average sickness rate in the NHS is 5 to 6 per cent, compared with 2 per cent at Nissan, the car manufacturer.

It also seems odd that some hospitals have a far higher absence rate than others, suggesting that a culture of absence exists. The cost to the average district general hospital of staff sickness is £1.4 million a year, according to a recent report by the Institute of Employment Studies. It is right that hospitals should try to restore some of that money to patient care.

Nurses are not well paid. Many of them could earn far more in other jobs. But, like most NHS employees, they accept low rates of pay because they are committed to their profession and to their patients. There may be an argument in good years for continuing to increase their pay in real terms. But there is no argument for resisting locally determined pay. If trusts are to work, they must have the power to pay whatever it takes to hire and retain a well motivated and efficient nursing team.

NOLAN'S LIMIT

A proper Tory answer is needed on constitutional changes

Lord Nolan and the members of his committee of inquiry into standards of public conduct seem to have enjoyed their period in the limelight. But the justly merited approval for the initial report seems to have emboldened its chairman into advertising his ambition to widen the remit of his committee — namely to conduct a full-scale investigation into the funding of British political parties. So far Lord Nolan has trodden a delicate path. He is now in danger of straying from it.

It is one thing to shore up public confidence in the probity of Westminster politics by conducting an inquiry into known abuses of the existing system. But the role of political finance and the individual's contribution are far greater constitutional issues. The Prime Minister is quite properly acting within his remit by suggesting that the Nolan committee should not run when it has barely waddled.

There is a distinction between a public investigation of allegations about abuses into the way we are governed and promotion of major constitutional developments in British political life. If the committee is to continue in the high esteem in which it has begun, it should mark that distinction with care.

For worse rather than better, Lord Nolan has put the Government into an embarrassing position. If the Prime Minister refuses to grant Nolan a referral over party political financing, Mr Major will be accused by his political opponents of a cover-up. If he acts precipitately, and caves in to pressure from Labour and the Liberal Democrats, Mr Major will put the Conservative Party, and more importantly, the liberties of British

subjects, at the mercy of Nolan. The outcome will be far from certain.

Putting off Nolan, however, is not the same as putting off thought into the subject of political funding and other constitutional and institutional reforms. The state funding of political parties is no easy answer. The creation of a dependency culture among politicians could be as damaging as the dependency culture created by the welfare state.

One of the best results of Labour's modernisation under Tony Blair has been to regenerate party membership and replenish its coffers from voluntary contributions. In Britain's remarkably cheap electoral system, which precludes commercial political advertising on television, Labour is now matching the traditional party of business finance pound for pound on campaign expenditure.

The Conservative Party, which has neglected and sometimes downright offended its nominal supporters, should take note and rebuild its organisation. In the short term, the Tories should be less defensive and have the courage to come out fighting for the right of the individual to make a contribution to the party of his or her choice.

Over a longer period they may wish to extend the voluntarist principle in ways outlined by Michael Pinto-Duschinsky on the opposite page. But party financing is only one of several critical constitutional issues that need a proper response from the Conservative Party. Think-tanks sympathetic to Labour and the Liberal Democrats appear to be making all the running on constitutional reform. A proper Tory response is now required: "no" is not enough.

METRO MEMORIES

From Gants Hill to Revolution Square

The Moscow metro, ambiguous monument to both the cruel gigantism and heady grandeur of Stalin's Russia, celebrates its 60th birthday this week with the prospect of a much-needed wash and brush-up easing its first encounter with the capitalist market economy.

Like all great civic projects, the metro carries imprints of the history made around it. Its multifarious architecture records the bizarre swings of Soviet aesthetics, from the experiments of the Constructivists, who used complex theories of the spatial perception of the pedestrian in their designs, to the frivolous art-deco light fittings and stern socialist-realist friezes.

The precipitous staircases are also a reminder that the tunnels were hewn by slave labourers, many of whom lost their lives in the process. In the war, its cavernous spaces doubled as bomb shelters, and during the Cold War, dissidents used the silent stations at the end of the line as locations for exchanging *Samizdat* publications.

Now Russian capitalism is going underground — the metro is to play host to advertising, in return for companies agreeing to fund a massive spring-clean, including a rub-down of Lenin's grimy busts. The renovation is the idea of Yuri Luzhkov, the city's feisty Mayor, who wisely realises that the electorate is pining for a restoration of civic as well as national pride. Mr Luzhkov retains the swirling rhetoric and gesture politics favoured by the new generation of Russian politicians and can be seen touring the city, urging workmen in the roundest of

tones to speed up the construction of street lights on dangerous highways, tidy straggling grass verges and restore flaking facades. If it were down to Muscovites, he would be President tomorrow. The factor most likely to prevent that is the implacable hostility of the provinces to the capital and all its works.

Metro travellers frequently complain about how dirty and accident-prone it has become. It is true that its famously punctual service has, in the past few years, taken to resembling the more abstract arrival patterns of the London Underground, whose technology and design were the original inspiration for Stalin's engineers.

How fitting then, that Gants Hill, on the far eastern reaches of London's Central Line, should be seeking to twin with a stop on the Moscow metro. The Essex station has restored to its former glory its high barrel-vaulted ceiling, modelled on the Russian example to give the station a distinctive echo. London commuters, facing their rising Travelcard bills, can but envy their Moscow counterparts. Despite price rises, the Moscow metro remains a cheap as well as a fascinating ride, conveying nine million passengers daily across the city's sprawl for the equivalent of 8p a ticket.

The new rich may turn up their noses at the rush-hour jostling and powerful scent of the masses in motion, preferring to be chauffeured around the city in ever-greater imported cars. But they too may soon be forced back to reassess the charms of the metro, courtesy of the latest unwelcome Western import — the mammoth traffic jam.

Gains and losses of Terminal 5

From Sir Rocco Forte and others

Sir, The public inquiry into the proposed fifth terminal at Heathrow airport opens on Tuesday. It is our hope that it will be allowed to proceed in a calm and objective atmosphere, so that it can balance effectively both economic and environmental considerations. It is worrying to note that in recent months the environmental issues have been greatly exaggerated in the hothouse of public debate — to the detriment of the economic benefits.

We all recognise that a development of this scale will have an effect on the environment. However, there are proposals for improved public transport, including the privately funded Heathrow-Paddington express rail link which is currently being built. The terminal will be within the airport's boundaries; it will not require a third runway or additional night flights. It is reliably claimed that the overall noise climate is not expected to increase.

The economic benefits of Terminal 5 are well documented. For the local community 10,000 jobs will be safeguarded and 6,500 created, boosting a west London economy which is not overheating, as many would have us believe, but suffers from pockets of high unemployment.

For the country as a whole, Heathrow's position as the world's number one international airport will be enhanced, enabling it to continue to be a key driver of the national economy and to compete effectively with its rivals in Europe which are keen to win business from us in the UK.

It is vitally important that these, and many other arguments in favour of T5, are heard in an atmosphere which reflects the importance of this issue to the UK as a whole.

Yours sincerely,
ROCCO FORTE
(Chairman, Forte plc),
GEORGE J. BULL
(Group Chief Executive,
Grand Metropolitan plc),
ANTHONY FULLER
(Chairman, Fuller Smith & Turner plc),
BRIAN HARRIS
(Senior Partner, Richard Ellis),
RUDOLF MUELLER
(Chairman, UBS Ltd),
BRYAN NICHOLSON
(Chairman, Bupa),
c/o London First,
Caxton House,
1 Tottil Street, SW1,
May 15.

From Mr W. G. Horn

Sir, In supporting a fifth terminal Sir Colin Marshall, Chairman of British Airways, has stated (Business letters, May 11) that Heathrow will be losing an annual 30 million future passengers to its continental competitors in the coming years. He is quite right; but this loss will occur whether or not there is going to be a Terminal 5.

Our continental competitors have had the foresight to provide infrastructure for their airports in the form of TGV trains integrated with their airport terminals. BAA would be better advised to allocate the £2 billion earmarked for Terminal 5 to a crash programme of rail construction connecting Heathrow and Stansted with the Channel Tunnel and the north of England.

That is also more likely to safeguard jobs at Heathrow and dividends for BAA shareholders than Terminal Five.

Yours faithfully,
W. G. HORN,
De Berkenhof, Goreslands Lane,
Chalfont St Giles, Buckinghamshire,
May 11.

Industry beckons

From Mr A. S. Philip

Sir, Professor Secker (letter, May 12) thinks that educating the public about the crucial role of engineering will generate social prestige for the engineering profession.

I fear that he constructs a naive equation between prestige and crucial work.

Prestige, by derivation a delusion or tricks (praestigiare), will I suspect always be more readily attached to those who deal directly with people rather than via intermediary technology.

Perhaps engineers should settle for simple recognition of professional ability and seek prestige in more soulful activities outside work.

Yours faithfully,
ALEXANDER S. PHILIP
(Chartered engineer),
Highland Road,
Wimborne, Dorset,
May 12.

Dressing the part

From Mrs Sarah Crossing

Sir, I can only assume that, from what I saw during VE-Day weekend, English national dress (letters, May 8, 11, 13, 15) is tight running shorts, a bare fat belly and flip-flops.

Yours faithfully,
SARAH CROSSING,
The Station, White Lane,
Ash Green, Aldershot, Hampshire.

Business letters, page 29

Letters for publication may be faxed to 0171-782 5046.

LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 0171-782 5000

Motorway traffic flow and vehicle pollution on trial

From the Minister for Local Transport and Road Safety

Sir, Peter Millar's article, "Dr Mawhinney's motorway madness" (May 9), assumes erroneously that the speed limit trial due to start shortly on the M25 is a knee-jerk reaction to traffic pollution and will only serve to slow traffic down unnecessarily.

Although motorways are there to move vehicles around the country more quickly, on some of them drivers are just as likely to find themselves stationary or crawling along at 20mph as speeding in the outside lane.

The purpose of this trial is to reduce speed limits before traffic builds up so drivers can travel at a more consistent speed and get to their destinations more quickly.

There should be fewer accidents and less fuel consumption and pollution, while journey times are expected to become more reliable.

As traffic flow builds up on the M25, sensors will trigger the system to set signals first to 60mph, and then if the flow continues to increase, to 50mph. By staying in lane and obeying the speed limits, drivers will find that they have a safer, less stressful journey, that traffic will flow in a more even way, and that their journey times are more predictable.

Obviously no system, even one as technologically advanced as this, can cope with major incidents or accidents. But in general, we expect that the system will make driving on the M25 much easier and safer for drivers.

Yours faithfully,
STEVEN NORRIS,
Department of Transport,
2 Marsham Street, SW1,
May 12.

From Mr Les Graham

Sir, Peter Millar's article on motorway madness is based on an erroneous assumption, notably that reducing the speed of traffic, and therefore increasing journey times, increases pollution. He suggests that travelling at 75mph will create less pollution than at 50mph.

In fact, not only will travelling at a steady 75mph create much more pollu-

tion, but the ripple effect in congested traffic travelling at higher speed will cause a greater amount of braking and acceleration. This will also add significantly to the amount of pollution created.

Yours faithfully,
LES GRAHAM,
1 Grangewood Crescent,
Dundonald, Belfast,
May 9.

From Mr Harley Sherlock

Sir, Peter Millar is right. Cars are certainly "among the biggest atmospheric polluters in Britain today".

And there is indeed no point in attempting to curb pollution by "building motorways the length and breadth of our supposedly green and pleasant land, if you then force people to drive on them more slowly than they may currently do on country B-roads".

It is high time that we, instead, take seriously the Government's stated policy of reducing the need to travel, and that we stop building ever more roads to accommodate ever more traffic — whatever its speed.

Yours faithfully,
HARLEY SHERLOCK,
13 Alwyne Place, NI,
May 10.

From the Head of Policy, Society of Motor Manufacturers and Traders

Sir, As your leader (May 11) rightly points out, air pollution is a matter which concerns us all, not least the motor industry. However, laying all the blame on motor vehicles and those who use them is, in our view, rather misplaced.

The considerable efforts — not to mention success — of the industry in combating the problems so far also needs to be recognised.

First, most recent reports on the correlation between motor vehicle pollution and asthma have concluded that the disease is not caused by vehicle exhaust even though the condition may be aggravated by it.

Second, vehicle pollution is mostly an urban problem. Limiting speeds and traffic flow on motorways or in the open countryside is unlikely to

have much effect. In 1993 tight controls were introduced for the fitting of catalysts to all new cars. As from next year, new vehicles throughout the EC will have to meet emission controls equivalent to US federal standards with still tougher regulations four or five years later.

Total emissions from all cars have fallen considerably since the peak year of 1990 and will continue to do so for the next 15-20 years in the face of the most extravagant forecasts of increase in car ownership and use.

The best way to speed this process will be to accelerate the replacement of older heavily-polluting vehicles, such as urban-operated buses and poorly maintained cars which do not have catalyst exhaust systems. Better and more affordable public transport could also play a part.

Yours faithfully,
MIKE HOLLINGSWORTH,
Head of Policy,
The Society of Motor Manufacturers and Traders,
Forbes House, Halkin Street, SW1,
May 11.

From the Director and Chief Executive of the British Road Federation

Sir, Nick Nuttall, your Environment Correspondent ("Snog shroud over nation", May 6), claims that the higher density of motorway traffic in this country reflects higher levels of car use. Surely the greater levels of traffic on our motorways simply reflect the far more extensive networks of high-standard roads enjoyed by most of our West European competitors.

Germany, for example, is about 50 per cent larger than Britain in land area but has a motorway network three and half times longer. And under the current plans of the British and German Governments that disparity will grow larger over the next decade.

Yours faithfully,
RICHARD DIMENT,
Director and Chief Executive,
British Road Federation,
Pillar House,
104-202 Old Kent Road, SE1,
May 9.

Breast cancer statistics 'not valid'

From Sir Reginald Murley

Sir, I was dismayed to learn from your report of May 9, headed "Breast cancer units 'failing to save hundreds'", that the Government's Chief Medical Officer has "cited research showing that survival rates for women treated in specialist units were almost 9 per cent higher after five years and more than 7 per cent higher after ten years".

I feel bound to point out that I know of no valid published evidence to show any such difference in survival rates between strictly comparable breast cancer patients treated in different kinds of hospital unit.

Doctors and medical scientists with a clear understanding of cancer statistics have known for more than forty years that published survival figures are profoundly influenced by case selection and by the method of case "staging" (classification) used; they are very

little influenced by the precise methods of treatment. Selection of case results and statistics can, and does, produce differences in survival figures which are more apparent than real.

Careful and detailed analysis of breast cancer survival figures which include every case diagnosed (and not simply those in selected treatment groups) fails to give any support to the claims which you report.

I am appalled to think of all the unfortunate women and their loved ones whose confidence in their hospitals and specialists may have been seriously undermined by these claims.

Yours faithfully,
REGINALD MURLEY
(President, Royal College of Surgeons, 1977-80),
Cobden Hill House,
63 Cobden Hill,
Radlett, Hertfordshire,
May 10.

Science tests

From Professor D. D. Burgess

Sir, As a physicist who has been coaching his 14-year-old son for the national standard assessment tests, I support strongly Professor Harold Thimbleby's letter (May 10). I too have been appalled to find the "scatter-gun" collection of "facts" designed for one-word answers that make up the science curriculum and attainment targets at this level. The "official" revision material asserts simple "facts" which are not only arid in their isolation but, in some cases, wrong.

Science has made the modern world, pretty well lock, stock and barrel. But it has been the scientific way of thinking that has done so — not the ability as seemingly required in the national curriculum to regurgitate at 14 the icon used in a circuit diagram to represent a NOR, AND, or NAND gate without the foggiest idea of how they are made or what they are for.

One area of the national curriculum, and one group of teachers, does seem to have achieved the ability to teach, link, and discuss complex ideas in depth, developing them with project work, and to do so with enthusiasm and passion. These are the historians.

A single project my son did at age 13 on the technology of trench-warfare in World War One probably taught him more about how to think logically and

scientifically than all the national curriculum "science" lessons yet.

Perhaps we should abandon science "fact" in schools entirely, insert at the same length the subject of "scientific history, thought and method" and let working scientists teach the necessary details of scientific technique from a university base as a pre-undergraduate course?

Yours sincerely,
DAVID BURGESS,
45 Chiswick Station,
Harting Road, W4,
May 11.

From Dr E. F. J. Garcia

Sir, Professor Thimbleby is misguided in criticising the national curriculum science tests for their emphasis on factual recall.

Scientific knowledge is a pre-requisite of meaningful creative work in science as well as being an end in itself. Imaginative thinking in a scientific context must be underpinned by a firm comprehension of one's subject. The tests encourage pupils to acquire this.

Yours sincerely,
ERNEST GARCIA
(Head of Biology),
George Abbott School,
Woodruff Avenue,
Guildford, Surrey,
May 10.

half the size of Britain; why India is reluctant to let the Kashmiris decide their own destiny; and why India has failed so far even in holding any credible elections?

If the past is any reminder, in 1987 only 3 per cent of Kashmiris turned out to vote. India knows full well that in the given situation elections simply cannot be held.

The West should seriously ponder as to what is wrong in Kashmir and what should be done to end the ongoing bloodshed.

Yours sincerely,
WAJID SHAMSUL HASAN,
High Commission of Pakistan,
36 Lowndes Square, SW1,
May 12.

Hitler's death

From Mr R. W. Leon

Sir, As the first man on our side to learn the facts about Hitler's death (Mr Hugh Thomas's letter, May 11) may I report what I heard, in the first week of May 1945, from Hitler's press attaché, who had newly left the bunker bearing Hitler's will concealed on him.

Heinz Lorenz told me of the facts about Hitler's marriage to Eva Braun and their joint suicide. Later, as commander of an interrogation team, I had the facts corroborated from others who were present in the bunker. Hitler's secretary said that before going to his room to kill himself, all his personal staff lined up, and Hitler went down the line shaking hands and saying goodbye.

Quite apart from the evidence of dozens of those present, there was a very good reason why Hitler could not have left the bunker to escape retribution. His health had completely given way. He was in his fifties, but looked in his seventies.

His doctor had since January 1943 given him injections both to sleep and to awaken the following morning. He was a sick man addicted to these strong sedatives and pep drugs. He could not have lasted a day without them.

The story of a substitute taking Hitler's and Eva's place is ridiculous, and as easily disproved as the story that the Holocaust never happened. Both stories belong in the same category and cannot stand up to investigation.

Yours truly,
R. W. LEON,
Wood Close, 19 Buccleuch Road,
Branksome Park, Poole, Dorset,
May 11.

Language barrier

From Mr Yakov Berger

Sir, I am puzzled as to which particular tongue Professor Norman Stone has in mind when he states that Yalta and Malta rhyme ("Inquest on the evil empire", Books, May 11).

They seem not to do so in English. Even more resolutely, they do not do so in Russian, phonetically or politically.

Yours sincerely,
YAKOV BERGER,
174 Plum Lane, SE18,
May 12.

Health hazard

From Mr Neil Waller

Sir, Lord Brightman's problems of how to wash off the water he has used to remove the water (letter, May 12) should be tackled thus:

Since the water-affected area with dehydrated water. Copious amounts of this expensive fluid are to be found between the top of the liquid and the brim of the glass of the beer served in most hostilities.

Yours faithfully,
NEIL C. WALLER,
Wensley, Mtwshw Lane,
St Dogmaels,
Cardigan, Dyfed,
May 12.

Battle lines are drawn up over the planning application for a fifth terminal at London's Heathrow airport

Sludge works or the hub of the world?

At the start of an inquiry which may go on for two years, Harvey Elliott introduces a special report on the debate surrounding a new terminal to increase capacity at Heathrow airport

Today, in a crowded hotel suite near Heathrow, before hundreds of lawyers, councillors, airline officials, environmental groups, local residents, journalists, planners and airport operators, Roy Vandermeer, QC, will launch what could prove to be the longest and most expensive planning application public inquiry ever held in Britain.

The suite at the Ramada Hotel and its 500 chairs have been booked until September 1996, and closed-circuit television screens have been linked to the adjoining York Theatre to accommodate the overflow. The final aggregate cost will exceed the estimate of £10 million: the Department of the Environment will have to find more than £1 million just for the accommodation.

The issue which has so focused the attention of anyone with even the most remote interest in air travel is the proposal by BAA plc to build a fifth terminal at Heathrow. By 2013, BAA says Heathrow will face a demand to handle at least 80 million passengers a year. But the airport's four terminals will be capable of handling only 50 million. Therefore it must build a new terminal very soon.

Once BAA had submitted its detailed proposal for the £1 billion terminal at a sludge works on the Perry Oaks site, between Heathrow's two runways, the Environment Department was deluged with representations and letters.

Easily the largest group was 6,000 residents of Richmond, Kingston and other boroughs near the airport who had been leafleted by the two main protest groups — HACAN (Heathrow Association for the Control of Aircraft Noise) and FHANG (Federation of Heath-

row Anti-Noise Groups). Another 4,000 individuals wrote in asking for their views to be taken into account, and it was finally decided that more than 2,000 people would be asked to speak during the inquiry.

The real "heavyweights", however, are the 70 organisations which have been earmarked for special consideration. They include the airlines, the airport operators, local businessmen and trade unions, who want the terminal to go ahead, and the organised local groups whose members suffer from the noise of landing and taking off aircraft, who do not.

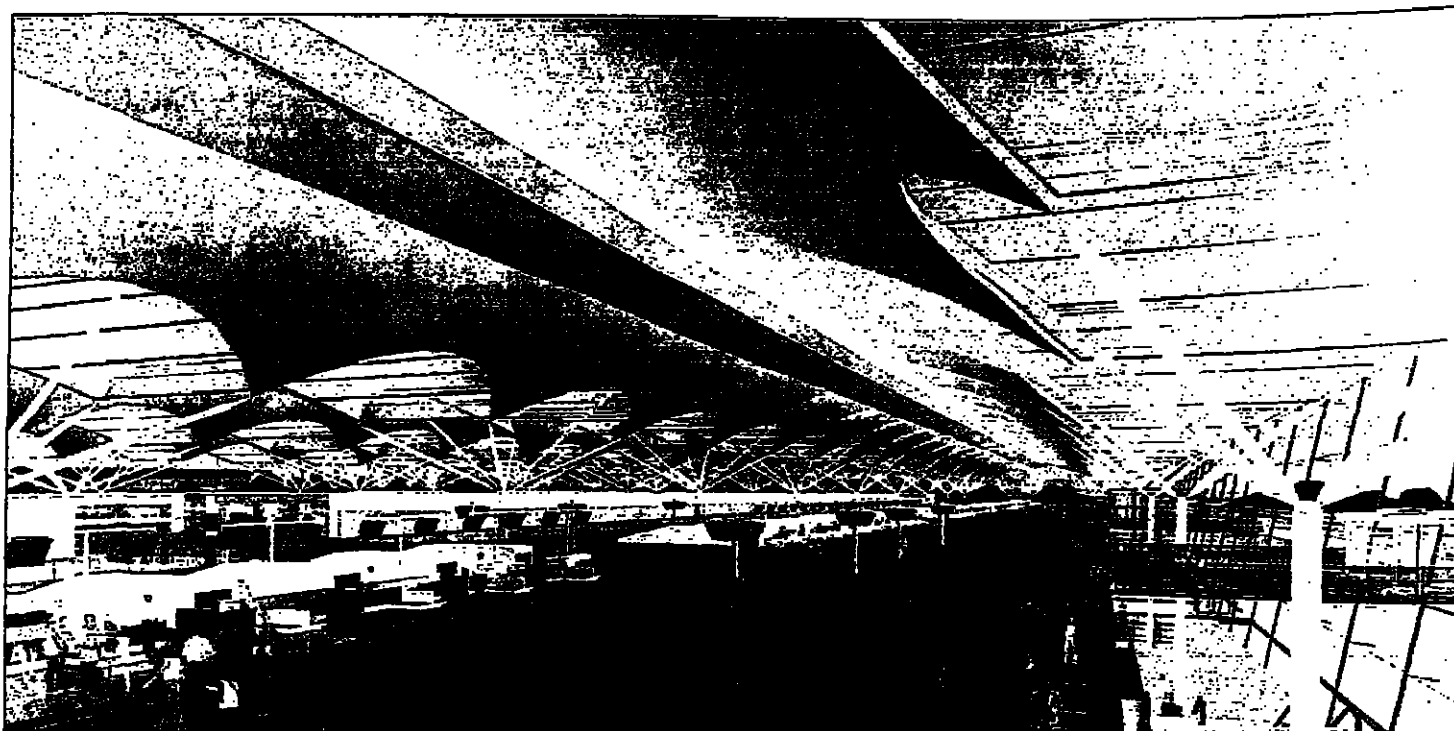
The final decision is likely to be taken well after the next general election by the then Environment Secretary and Transport Secretary.

'Within the next ten years Heathrow will be swamped'

Proponents of the scheme argue that Terminal 5 represents the last chance for Britain to become Europe's main air travel hub. Without it, they say, air passengers would be denied access to their first-choice British airport. International airlines would be forced to look elsewhere to develop their main junction airport in Europe, and 16,500 jobs in the west of London would be lost.

The Heathrow Airport Support Group, representing 110 companies and trade associations, claims that "if Terminal 5 does not go ahead, the UK stands to lose a great deal and the impact would eventually be felt in all walks of life".

For British Airways, which plans to move all its services into the new terminal, rather than have to bus passengers up to three miles from the international Terminal 4 to domestic and short-haul Terminal 1, not only are the economic advantages enormous but also without the new terminal the airline would face a crisis.



How Heathrow's proposed £1 billion Terminal 5 will look — if it survives Britain's longest and costliest ever planning inquiry



Without Terminal 5, they believe, Britain could become little more than a European regional aviation centre, sending passengers to the few airports on the continental mainland capable of accommodating the giant aircraft of the future from where the few surviving airlines would be able to fly long-haul passengers around the world.

Heathrow's existing two runways, say those in favour, can easily accommodate the expected growth in aircraft movements for the foreseeable future, but the

terminals are incapable of handling the enormous increase in passengers. By the beginning of the next decade — and certainly within the next ten years — they say the capacity of the terminals at Heathrow will have been swamped.

They point to the fact that other airports on the Continent, and especially Paris Charles de Gaulle, are ready to pounce and to develop new runways, new terminals and new road and rail links quickly and simply. With the European Commission responsible for negotiating

a single international air services agreement with America, Japan or any other nation, Charles de Gaulle believes it is in a perfect position to attract the big carriers and dominate Europe's aviation industry.

According to BAA, Terminal 5 is essential if this challenge, and its potentially damaging impact on the British economy, is to be met.

It vehemently denies local environmental groups' claims that the new terminal would be an environmental disaster, and insists that there would be no increase in night

flights or noise. Moreover, because the terminal would be contained within the existing airport boundaries, it could be built to the strictest environmental standards.

The protesters will argue equally fiercely that on its own the terminal would be Europe's third largest airport, and with BAA's plans to attract many more retail shops it would become a giant out-of-town shopping mall, jamming roads.

They will claim that the forecasts of traffic growth have been proved wrong in the past and are certain to

be proved wrong again, that if this terminal is built then another runway will be demanded and yet another terminal in the future, and that now is the time to stop all further development and allow other airports to grow instead.

Airlines and the airport authorities argue that it is unrealistic to assume that just because an airport is under-used — like Stansted — passengers will automatically go there. Attempts by many international carriers to operate effective and profitable long-haul services from regional or smaller airports have failed because passengers want to fly to and from Heathrow. When the Government lifted the restrictions on Heathrow, 18 airlines transferred there, half from Gatwick.

BAA will put forward a package of statistics and opinion poll results showing that the protesters are in a minority, and that the tide is running strongly in its direction. Since November, it says, the number of people supporting the plans has increased by 7 per cent, and 43 per cent of local people now say yes to the plan compared with only 31 per cent who say no. Trade unions are also strongly in favour because of the thousands of new jobs Terminal 5 would create.

BAA has already begun preliminary work on moving accumulated deposits of sewage sludge from the site, buying a few acres of nearby land and planning in detail the design of the building and how it will operate.

If the Government rejects the proposals it will have spent £200 million. Foreign airlines now clamouring to get into Heathrow or to expand their services will be forced to look elsewhere — probably to Paris. British Airways would be forced either to stop expansion or to move much of its operation to mainland Europe.

On the other hand, the 300,000 people who live near Heathrow — most of whom moved in knowing there was a major airport near by — would have won respite from what they see as its continuing unchecked development, affecting their quality of life.

We will not know the outcome for at least three years. Meanwhile, each side is convinced that its arguments are so compelling that it must win.



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Passengers prepare for a seat on the super-liners

The next generation of aircraft should transform air travel

Airliners using Heathrow will be bigger, with the proposed 600/700-seat NLA (new large aircraft) becoming a common sight at the airport, if Terminal 5 is given the go-ahead.

Airlines, and particularly British Airways, have concluded that the only possible way of moving the additional 30 million passengers a year through the airport without big delays is to make each aircraft carry more people.

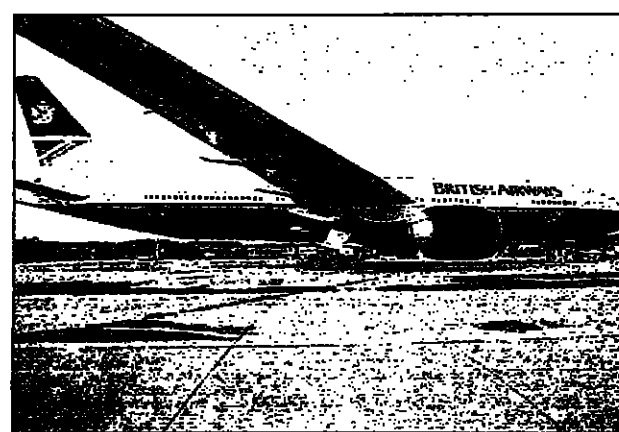
This policy would, according to BA forecasts, increase the average number of passengers per aircraft at Heathrow from the current 147 to 214 by the year 2010, but would produce an increase of only 5 per cent in aircraft movements. By 2010, BA estimates it will be carrying 36 million passengers a year in and out of Heathrow.

BA has made it clear that its fleets of smaller airliners — Boeing 737s and Airbus Industrie A320s, carrying an average of 130 passengers — would be redeployed out of Heathrow to other bases. The smallest BA airliner using the main London airport after Terminal 5 was commissioned would be the Boeing 757, with about 200 seats. BA today has 70 long-haul and 86 short-haul aircraft based at Heathrow.

With a quart of air traffic being squeezed into a pint pot of airport, it is not difficult to see a situation early in the new century in which BAA, the airport operator, would encourage airlines flying small "puddle jumper" aircraft, by way of higher landing charges, to move to Gatwick, Stansted or Luton.

The precursor of the new generation of big airliners can be seen at Heathrow from next month when the American carrier United Airlines inaugurates the Boeing 777 on the London-Washington DC route. British Airways has ordered a fleet of 15 of this new twin-engine, 350-seat aircraft, with another 15 on option, at a total cost of £2 billion, and will introduce it into service in October, on the Dubai/Muscat route, before going transatlantic with it to Boston in December.

Sir Colin Marshall, chairman of BA, says that the use of such new aircraft will not mean an increase in night flying at Heathrow, nor any increase in noise. Although the engines which power the B777



Arriving at Heathrow next month, the new Boeing 777

are far larger than their predecessors, they are quieter.

According to Captain Jock Lowe, BA's director of flight operations, the airline's 777s, equipped with GE90 power plants, will have a noise "footprint" on take-off 65 per cent smaller than that left by a Boeing 747. The engine is also low on emissions — 22 per cent below the standard laid down for 1996 by the International Civil Aviation Organisation, the United Nations aviation body, General Electric, which will increase the certificated

thrust of the GE90 to a mighty 92,000lb by May next year, claims that its engine has the lowest levels of noise generation among the three competitors, one important factor being the lower tip speeds of its massive front fan, which is produced in composite material rather than traditional aerospace metals.

Other "Jumbo" airliners which will use Terminal 5 will be the Airbus Industrie A330, a twin-engine competitor of the Boeing 777, and the four-engine Airbus A340. Boeing is

seriously considering a version of its 747, using the same wing as today's aircraft but with the fuselage "stretched" to accommodate 500 passengers, and after that could come the NLA, with 600, 700 or, in the long term, up to 1,000 passengers. Aircraft stands at Terminal 5 will be constructed to accept the increased wingspan of new aircraft such as this.

Sir Colin Marshall is urging Boeing to make a start on the NLA so that it could be in service by the year 2004. He says: "We believe the NLA is certainly going to arrive; the only hold-up to it at the moment is the financial condition of the airline industry."

Of the other large carriers around the world, only Singapore Airlines has so far matched BA's enthusiasm for the new aircraft. Despite this, the Americans are going ahead with research, as is a consortium of European aerospace manufacturers, and it appears inevitable that, given the enormous development costs involved, the two sides will eventually combine to build a "super jumbo" for the world's increasingly overcrowded airports.

ARTHUR REED

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Charles de Gaulle airport, Heathrow's main rival, handled 28.7 million passengers in 1994 and is planning a major terminal expansion

Competitors aim high

Continental airports intend to take

Heathrow's business, says Arthur Reed

Both BAA, which operates Heathrow airport, and British Airways, whose main base it is, worry that traffic will migrate to airports in mainland Europe, and particularly to Charles de Gaulle (CDG) and Orly in Paris, and Schiphol, Amsterdam, if the fifth terminal at Heathrow is not developed. Their fears are justified. Both CDG/Orly and Schiphol have been snapping at Heathrow's heels in the passenger market for some time — Schiphol even promotes itself as "London's third airport", and has run advertisements in UK newspapers picturing traffic jams on the M25 London orbital motorway. Unlike Heathrow, both have virtually unlimited room to expand. And both are linked into the European rail system, with stations beneath their terminals.

CDG, Air France's main hub airport, and where the airline promises passengers connecting times as low as 45 minutes between flights, handled 28.7 million passengers in 1994, a total with Orly's 26.6 million of 55.3 million, up 7.3 per cent on the previous year. Between them, the two Paris airports moved 1.2 million tons of freight and mail, up 14.5 per cent.

To cope with the forecast that air traffic to and from the French capital will grow 4 per cent a year up to the turn of the century, Aeroports de Paris (ADP) plans to invest Fr10 billion for the five-year period 1995-99. Among future projects are a Fr1.4 billion extension of Terminal 2 at CDG, due to go into operation in 1997 with a capacity of six million passengers a year. Construction of new runways on CDG's 7,700 acres is under serious consideration with a view to the airport handling in the long term 80 million passengers annually, and housing a large international business park.

Recent extensions completed include new terminal buildings at both CDG and Orly, and a rail/air interchange complex at CDG. Costing Fr2 billion in total, the terminals increased the handling capacity of the Paris airports by 20 per cent, or 10 million passengers a year. The Fr2 billion interchange, which opened in November, combines a TGV (high-speed train) station and an RER (regional

express) station, both with direct access to the air terminals above. Access to central Paris by rail is now vastly improved, and at the same time the roads between the airport and the capital, frequently choked with traffic, are being widened. TGV passengers will eventually be able to travel to Lille, London, Bordeaux, Cologne and other European cities. Air France passengers beginning their journey from Lille can already check in for their flight from CDG at Lille-Europe TGV station.

Schiphol Amsterdam airport, the main base for the Dutch national flag carrier KLM, has similar expansionist ambitions. Its passenger traffic increased by 11 per cent in 1994 over 1993 to 23.5 million, while freight traffic rose 8 per cent to 840,000 tons. The airport's management predicts a 6 per cent rise in passenger traffic and an 11 per cent rise in freight traffic for 1995, although these predictions were outstripped in the first quarter,

when there were rises of 10 per cent and 13 per cent respectively. The biggest recent development was the opening in 1993 of the west wing extension of the existing terminal building, a decision having been taken by the airport management not to develop separate terminals, as at Heathrow and CDG, with all the problems of moving transfer passengers and their baggage from one to another. With all facilities under one roof, Schiphol boasts connecting times of 50 minutes, reducing to 40 minutes for intra-European services. With such swift transfer times, and with 87 airlines serving 215 destinations worldwide, Schiphol must become increasingly attractive to British travellers if Heathrow is too congested. British and Dutch airlines already offer daily flights to Schiphol from no fewer than 22 airports in the United Kingdom. With ample room to expand, Schiphol has serious aspirations to move up from its current position as fourth largest passenger airport in Europe (behind London, Paris and Frankfurt) and to this end, both Dutch Houses of Parliament are due this year to decide on proposals which would convert the airport into a "mainport".

Small voices of the airport protesters

Sixty local organisations are fighting the proposals, says Nick Nuttall

More than 60 organisations, including local authorities, environmental groups, residents' associations, natural history societies and townswomen's guilds have lined up to fight the Terminal 5 proposal at Heathrow. Critics claim the Heathrow area has shouldered more than its fair share of the nation's growth in air traffic. They argue that any more development, especially on the scale of Terminal 5 which, if built, would become on its own Europe's third largest airport, is unacceptable on social, health, environmental and noise grounds. They also remain deeply suspicious about official forecasts on air traffic growth being used by supporters of the scheme to justify its construction. Opponents believe the project, part of which includes a huge retail development, also breaks new planning rules unveiled by John Gummer, the Environment Secretary.

These have cracked down on out-of-town shopping centres and ones along motorways amid fears that these increase car usage and pollution while killing off the traditional high street. Opposition groups believe on this criterion alone that the Terminal 5 scheme should be denied planning permission. Dermot Cox, chairman of the Heathrow Association for the Control of Aircraft Noise (HACAN), which represents residents and has 7,000 members, said yesterday: "We have just had air pollution alerts on the M25 and the Department of Transport has announced plans for speed restrictions. The whole area is polluted and congested without this scheme which would make Terminal 5 on its own bigger than Paris's Charles de Gaulle or Amsterdam's Schiphol airport." The plan to build Terminal 5 involves the building of no new runways. "The Civil Aviation Authority has cut separation of departing aircraft from two minutes to 60 seconds. Heathrow is already congested," Mr Cox says.

The opposition case against the new terminal is partly based on what are seen as broken promises by the Government and a volte face by BAA since privatisation which, it is alleged, has put profits before the public good. During the previous inquiry which led to the approval of Terminal 4, the Government made commitments to limit flight numbers to 275,000 a year. "This was agreed as the price which had to be paid to obtain planning permission... but in

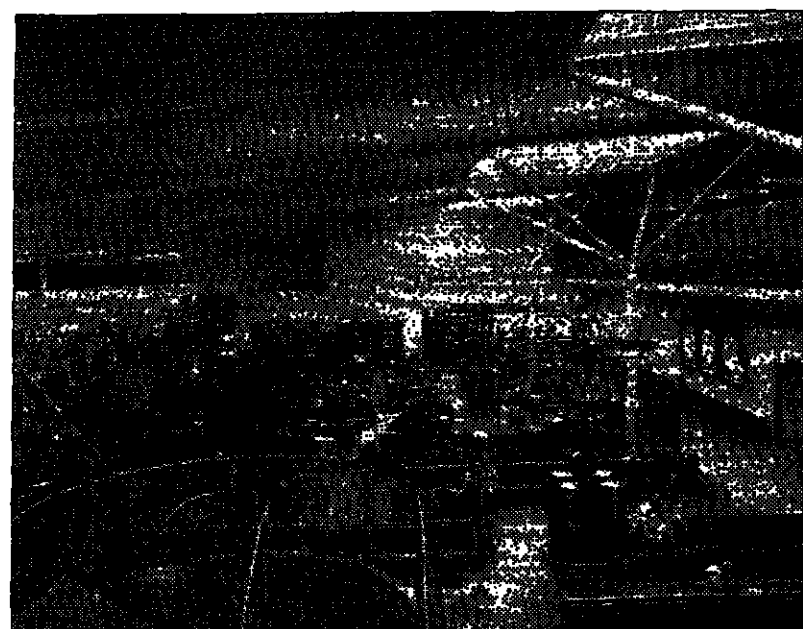
cent increase in passengers can be met by just 11 per cent more aircraft because of the development of super-jumbos carrying up to 600 passengers. But Mr Cox says these "re-mained paper planes" and cited a recent statement by Jean Pierson, managing director of Airbus Industrie, who said that the market for such large aircraft might be too small to justify building them. "The fifth terminal is not about meeting air transport needs but about winning planning permission for a massive edge-of-town retail park on Green Belt land next to the most congested section of motorway in Europe," Mr Cox insists. Des Wilson, BAA's spokesman, believes the protesters' fears can be met and disputes claims that the project is merely a front for shopping. He says: "It is absurd nonsense. Nearly all of the retailing is already there. You have to buy a plane ticket, take your passport and leave the country to go there to shop." Mr Wilson says the company is convinced that noise levels at Heathrow will be no greater with Terminal 5, and will be unveiling a raft of measures designed to reduce levels if the scheme gets the go-ahead. Fears about increased traffic levels on the motorways and feeder roads were also misplaced, says Mr Wilson. BAA is investing £300 million building the Heathrow Express and is "seeking to have the Piccadilly line extended to the fifth terminal". Mr Wilson says: "We are investing £500,000 in feasibility studies to see how fresh rail links can be introduced including ones to the west. "We are launching a campaign to get workers to share cars and if that does not work, we will look at some kind of incentives to reduce car usage. We believe overall these measures could have a huge impact on traffic levels." He says he remains convinced that if future demand for air travel is to be met, Terminal 5 represents the best environmental option.



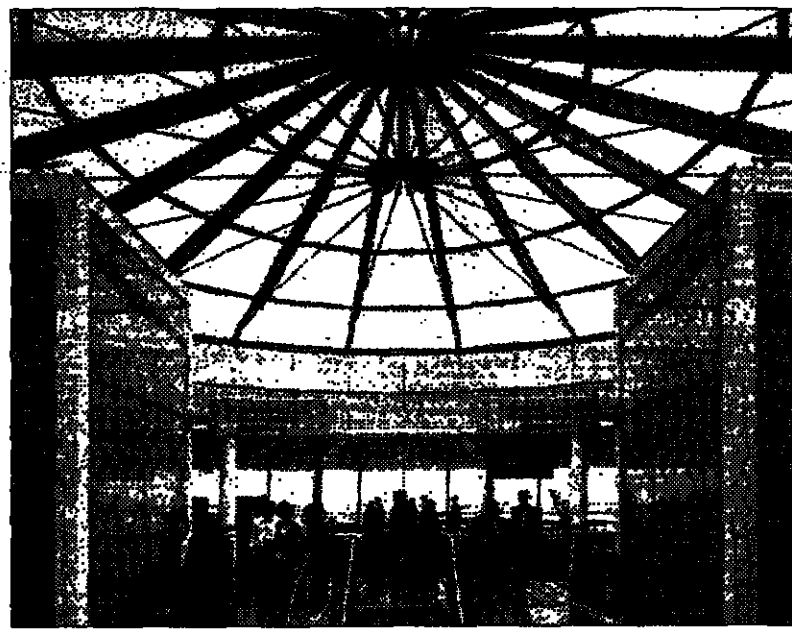
Planes versus people in west London

1994 flights were 50 per cent higher at 409,000," Mr Cox says. HACAN also points to the radical shift in BAA's position since being privatised. A previous inquiry, in the early 1980s, into a British Airways-backed move to build a Terminal 5 was defeated partly through the former British Airports Authority's objection. "It argued that this would mean over-centralising airport development, more noise and worse traffic congestion," Mr Cox says. BAA's argument in favour of the fifth terminal is also partly based on claims that the 57 per

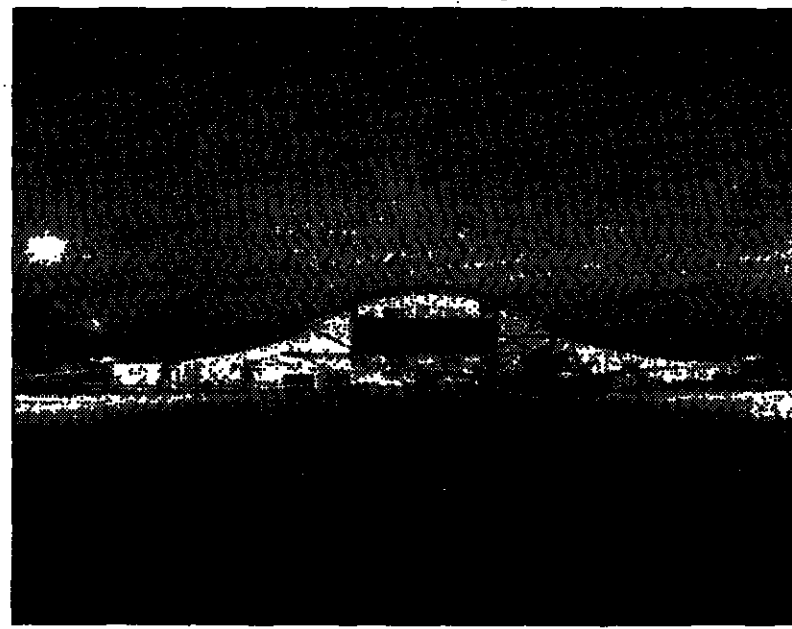
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Heathrow: Terminal One International Departure Lounge
RECENTLY OPENED COST: £39 million



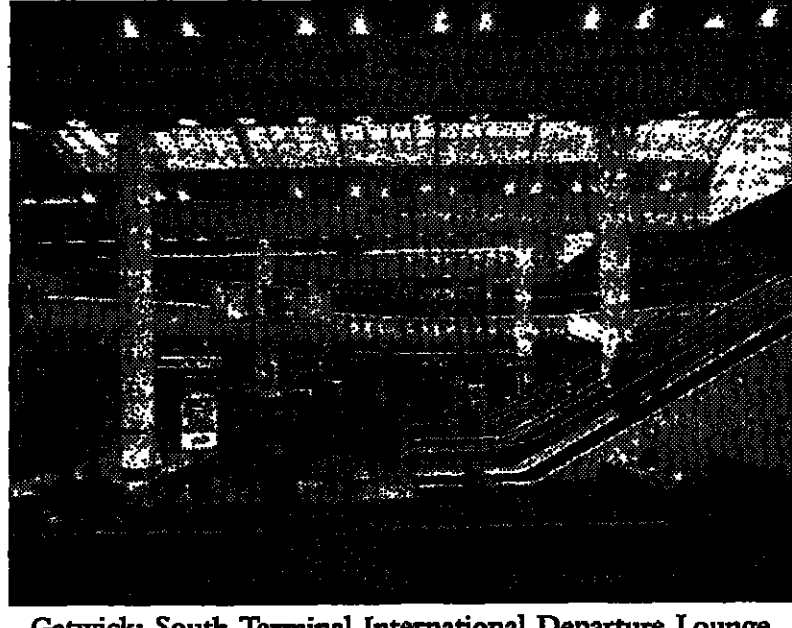
Heathrow: Flight Connections Centre
RECENTLY OPENED COST: £27 million



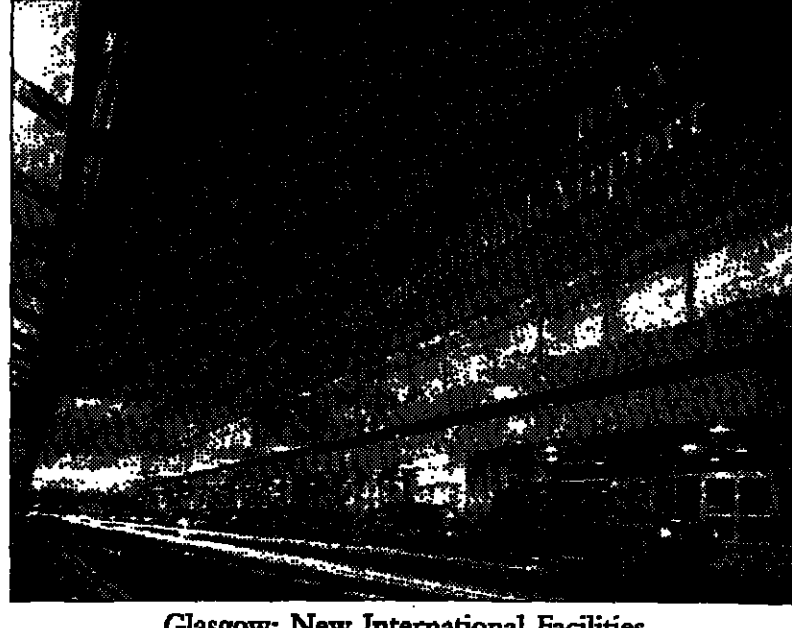
Southampton International Airport
RECENTLY OPENED COST: £25 million



Gatwick: North Terminal International Departure Lounge
RECENTLY OPENED COST: £16 million



Gatwick: South Terminal International Departure Lounge
RECENTLY OPENED COST: £17 million



Glasgow: New International Facilities
RECENTLY OPENED COST: £40 million

All of the above facilities, completed over the past six months, have added to the quality of British airports. Surveys show they are the envy of the world. Yet, unlike any other country in the world, this vital part of

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The focal point for the rest of planet Earth

Connections — both historic and geographic — are the solid bedrock on which Heathrow's popularity is based. By fate, fortune and design, it has maintained its dominance as the world's busiest international airport virtually since its opening day on May 31, 1946.

To the frustration of its later rivals on the Continent and the complete eclipse of any other existing gateway in the South East of England, Heathrow means London and that remains a focal point for the rest of the planet.

Within Europe, the airport features on ten of the 15 busiest cross-border air routes, to Paris, Dublin, Amsterdam, Frankfurt, Brussels, Rome, Milan, Munich, Düsseldorf and Copenhagen.

Its Terminal 1 alone handles more than 20 million passengers a year, just 700,000 behind its hard-breathing competitor Amsterdam Schiphol in total, a fact that makes the terminal Europe's sixth largest airport in its own right. To the advantages of geographic location and historic ties overseas must be added the political element, which provided a stable and established base for those travelling to and from Europe just after the last war.

Although the airport site was a

Heathrow has always kept one step ahead, Chris Lockwood writes

sea of mud and a tent city when officially opened in May 1946, Heathrow's first flight actually operated on January 1 of that year with a service to Lisbon as the first leg of a long-haul leap to South America. That flight was operated by British South American Airways with a Lancastrian airliner fittingly adapted for commercial service from the wartime Lancaster bomber.

Passengers arriving at Heathrow in 1946 found themselves in something more akin to an army camp than the gleaming complex that stands today. The airport was formerly an RAF station and a test field for Fairey Aviation.

Before its opening, long-haul services had used Hurn near Bournemouth as the main gateway after the end of the Second World War, but United States carriers complained that this left

passengers 100 miles away from London by road. Heathrow was a better bet and a better, uncluttered site with room for expansion. London's prewar aerodrome at Croydon was hemmed in by housing, so with Croydon ruled out and Hurn too far away, Northolt was also considered. But that too was in a comparatively built-up area and was an RAF field designed to handle VIP and government flights — a role it retains today.

Surprisingly, perhaps, for the anti-Heathrow resident lobby, most of the housing around the airport was built after its initial development and largely because of it. Within a year of its opening, the need to improve and expand the airport was apparent and the original plan for nine runways was conceived for completion by 1950.

That first year saw 63,151 pas-

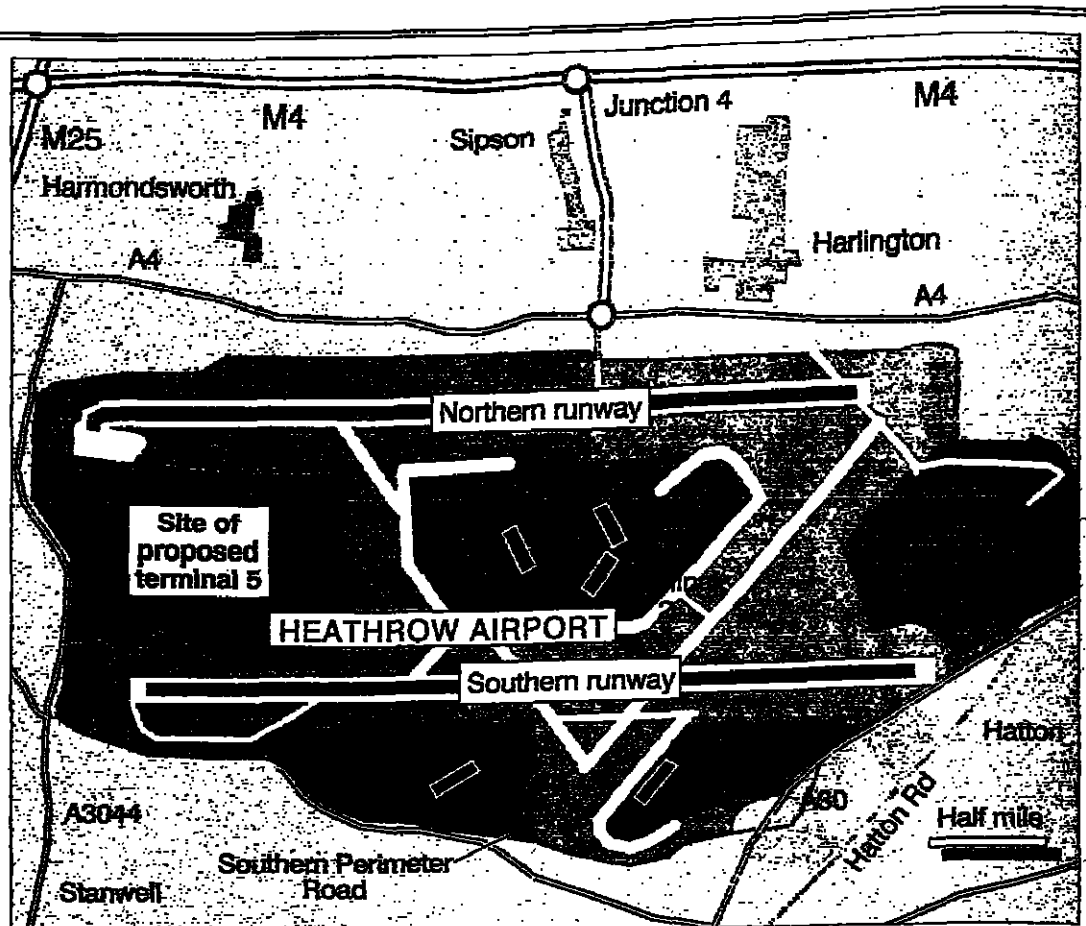
sengers pass through — far more than expected, and an experience which was to become common over the years.

Gatwick airport existed but was also considered too far away from the city centre. It was not until 1958 that that airport was given the expansion go-ahead due to overcrowding at Heathrow, a phrase which has also become a regular battle cry from developers and users alike who seek an ever larger and better London airport.

When Heathrow's new central terminal opened in 1955 (with a Vickers Viscount turbo-prop flight to Amsterdam), Port of New York Authority officials were unwilling plans to turn Idlewild (now JFK) into a proper international airport, and Lufthansa in Germany was expressing hopes for a postwar recovery.

Such was the way of the world that Heathrow was ahead of the game, and striving to stay there, as it is today.

The central terminal emerged and developed as Terminals 2 and 3, and the new Terminal 1 opened in 1969 to cope mostly with domestic and Irish traffic. Now Terminal 1 features international departures. Terminal 4 opened in 1986 and is largely devoted to



British Airways and long-haul flights.

The Flight Connection Centre which opened late last year was a major recognition of the flying value that makes Heathrow tick in the number one position worldwide.

According to BAA, Heathrow is 10 per cent ahead of its closest worldwide competitor, New York

JFK — and 19 per cent ahead of its nearest European rival, Frankfurt, in terms of international connections available. Now these passengers have their own dedicated centre and the first such building in the world focusing on the needs of multiracial, multinational connecting passengers.

Heathrow treasures its connections, its number one slot interna-

tionally and the fact that half of all the Boeing 747s in the world use it. It has established a reputation for being the point to reach in order to reach any other point on Earth. In an air travel environment where speed and access are crucial, Heathrow could be proud of its unofficial motto, which dictates its global reputation: "You certainly can get there from here."

Two knights of Britain's air industry outline the competitive pressures behind the need for expansion

High stakes in dogfight

Sir Colin

Marshall,

chairman of British Airways, says that the new terminal is vital

Last year the civil aviation industry recorded a collective surplus of \$1.3 billion, worldwide, the first positive result for some years. A substantial proportion of that global surplus is accounted for by the 1993/94 profits of British Airways.

Very self-serving, you might say. But you might also come to the conclusion that there are not many countries around the world with a sound, successful domestic and international air transport system.

Britain is an exception. The most fundamental reason for this is the consistent investment over many years in the development of what has become the world's finest international network, based on London Heathrow airport. This has an enormous impact on the British economy as a whole: effective direct access to export markets for British companies; attractive inward investment prospects for overseas firms; and the benefits to regional air transport development from the critical mass of traffic and revenue generated by the London hub.

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The importance of our air



'London is the effective hub of world communications'

Sir Colin Marshall, chairman of British Airways

transport industry means that a top priority must be the objective of maintaining Britain's pre-eminent position.

Yet this situation is already under threat from other European countries and will become even more so in the future. International business continues to grow in scale and pace. With it grows the demand for comprehensive, economic and efficient transport.

Britain's response to that demand must be to build on existing success. Britain's position of pre-eminence is under threat, because Heathrow's terminal capacity is congested and growth prospects are severely limited.

If Heathrow cannot satisfy future demand, much of its traffic, therefore its role as

Europe's premier gateway, will be given up to Britain's European competitors.

The world's airlines will not simply split their operations between Heathrow and other Southeast airports such as Gatwick and Stansted. They need to be tied into powerful, central hub and spoke systems which offer scope for growth and development.

If Heathrow cannot provide this, they will look to Paris, Frankfurt and Amsterdam.

BA has recently taken a serious look at the implications of having no Terminal 5 by commissioning an independent and dispassionate report from Coopers & Lybrand.

Their analysis estimates that without Terminal 5 the costs to British commerce and

industry would increase by a figure approaching £1 billion a year through higher fares, longer journey times and more time away from the office. We could also lose £1.2 billion in annual foreign currency expenditure by overseas tourists.

Terminal 5 will also directly create thousands of jobs and safeguard thousands more. A total of 7,000 British Airways jobs and a further 9,500 airport jobs depend on the building of Terminal 5.

The environmental impact of Terminal 5 has to be taken into account and made as small as possible. We would be foolish in the extreme to contemplate a move which was entirely unacceptable to the community at large. We have to achieve the balance between environmental concern and economic necessity.

By 2010, British Airways aircraft will be bigger and quieter. The average BA aircraft will carry 47 per cent more people than it carries now. So more people can be flown through Heathrow with very few extra flights. There is no need for increased night flights or a third runway.

The noise levels around Heathrow will continue to improve. Just 20 years ago, two million people around Heathrow were affected by noise nuisance. Now only 400,000 are affected.

By the time Terminal 5 is fully operational the number of those affected will have been reduced further still thanks to the introduction of aircraft such as the new 300-seat twin-jet, the Boeing 777.

At stake is Britain's position at the forefront of world trade deep into the next century.

Sir John Egan, chief executive of BAA, the airports authority, says action is needed

Demand for air travel has never been higher. Whether for business or leisure, to visit family or to broaden the mind, the wish and need to fly is likely to increase well into the next century. Facing an annual 4 per cent growth rate in passenger numbers, Britain's airport capacity in the South East, where demand is heaviest, will run out by the year 2002. Action has to be taken now if needs and expectations are to be met. There is no way of avoiding this capacity problem: the question is how best it can be met.

There is spare capacity at Gatwick, Stansted and Luton but that will be exhausted over the next 20 years. Regional airports — already expanding faster than those in the South East — will shoulder more of the burden, but still leave us millions short.

The key to the application by BAA (formerly the British Airports Authority) to build a fifth terminal at Heathrow, however, is that this will go a long way to meet the demand by using existing resources better.

The potential runway capacity at Heathrow is simply not being put to use. Lack of apron space to park the planes and terminal capacity to cope efficiently with passengers to an



'The runway capacity at Heathrow is simply not being put to use'

Sir John Egan, chief executive of BAA

acceptable standard means that by 2013 the runways will be operating well below their capacity. A fifth terminal would allow the airport to cope with the coming generation of larger aircraft — increasing the passenger throughput by 30 million passengers a year.

This can be done by a modest growth in the number of flights — an increase of about 8 per cent by the time the terminal is fully operational in 2013. Aeroplanes are getting larger across the board and airlines more efficient at avoiding empty seats.

Any project as large as this raises concerns, but I believe that there has never been a proposal of this scale which will have such little environmental impact.

The terminal building itself will be sited on land already within the perimeter roads of the airport. This is currently used for settling sewage water and has long been identified by Government and others as more suitable for airport use.

A number of the concerns have already been dispelled. The threat of a third runway at Heathrow has been lifted by the Government. BAA opposed the third runway proposal, was pleased to see it go and equally believes that no other runway at Heathrow is a practical proposition.

It was claimed that Terminal 5 would lead to a 14-lane M25. BAA made it clear that this was not the case and the 14-lane plans have now been dropped by the Government.

A number of other issues remain to be addressed. BAA will show at the inquiry, for example, that the noise climate will be no worse with Terminal 5 than it is today.

Access to the new terminal is another important issue. BAA has taken a lead in promoting public transport access to Heathrow. Already, 34 per cent of passengers travel by public transport and that figure is forecast to rise to 38 per cent once the Heathrow Express opens in 1997.

BAA has established a Public Transport Forum bringing together interested local parties to look for better ways of managing traffic, and has set aside £500,000 to sponsor feasibility studies into improved rail access to Heathrow. BAA is also exploring ways of encouraging staff to leave their cars at home. In time I would like to see 50 per cent of passengers travelling to Heathrow by public transport.

The building of Terminal 5 is not simply a commercial matter for BAA. The central role played by Heathrow in the local and national economy must be safeguarded in the interests of the country as a whole. If airlines cannot get access to Heathrow they are likely to look to the Continent for the kind of facilities and critical mass which is simply unavailable elsewhere in the UK.

The long-term consequences of not proceeding with the terminal would be fewer routes and less choice. The tourist industry — now one of our largest — would suffer, company location decisions be influenced and employment in the area affected: 16,000 jobs on and off the airport are in question.

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Flights demand grows

IN APRIL 1995, Heathrow handled 11 per cent more passengers — 4.5 million — than in March, bringing the moving annual total of passengers to 52.5 million, an increase of 8.2 per cent, according to the BAA last week.

While the late Easter holiday contributed to the above-average growth, the underlying overall increase for March and April was 7.7 per cent, indicating ever rising demand.

Figures for 1993 show that Heathrow handled more international passengers — nearly 41 million — than any other airport in the world, and it is the UK's biggest port by value, with over £38 billion of cargo passing through in 1992.

In 1993, Heathrow handled 393,000 passenger flights. BAA forecasts suggest that, without Terminal 5, the number of flights will grow to around 417,000 in 2016. With Terminal 5, that number will rise to 453,000.

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The feminist who wants to be Law Society president

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Smith pays with his job for Palace's failures

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THE TIMES

BUSINESS EDITOR Lindsay Cook

TUESDAY MAY 16 1995

Banks pressured into adopting mortgage standard

By PATRICIA TEHAN
BANKING CORRESPONDENT

BRITISH banks are to adopt an industry standard for mortgage lending to protect customers after pressure from the Office of Fair Trading and other lenders.

The independent committee that is reviewing the code of banking practice wants banks to follow the lead set by the Council of Mortgage Lenders and agree to adopt a code that would require them to act in the best interests of their borrowers.

The OFT has been particularly concerned about the way that endowment mortgages are sold. At the end of last month, Sir Bryan

Carsberg, Director-General of Fair Trading, asked the Government to introduce legislation to control the selling of mortgages, suggesting that their sales should be regulated by the Financial Services Act.

Sir Bryan said he was concerned that sales of endowment mortgages might be unduly influenced by sales commissions. The Act requires advisers to act in the best interests of borrowers. Banks have resisted pressure to adopt a code of best practice for mortgage lending. Last year Sir Bryan criticised them for failing to introduce rules on the sale of mortgages in the revised Code of Banking Practice published in February. Last November banks reacted to criticism

from the OFT and consumer groups with a series of guidelines for selling mortgage products to be implemented next month.

But the committee has indicated it now expects them to go further. It has started its second review of the code, a process expected to take two years. The next version, including rules on mortgage sales, will therefore come into force in 1997. Martin Karmel, committee secretary, said it did not include mortgage selling in the code when it was revised last year since "nobody had made it a big issue." Since then, he said, the OFT has published its report.

Tim Sweeney, director-general of the British Bankers' Association (BBA), said

yesterday the review committee believes the code should include an industry standard on mortgage sales. He said: "It would make sense, if an industry position can be achieved, for that to be integrated in the code of banking practice."

The BBA had hoped to persuade the CML to endorse its "Guidelines for Mortgage Choice", but the CML, whose members include banks as well as building societies, was convinced that the only way to persuade members to comply with "best practice" rules was through a code of practice.

Mr Sweeney said: "It seems sensible for them to take the lead on moving the issue forward." He added there were no

immediate plans to revise the BBA's guidelines in the light of comments made by Sir Bryan. Mr Sweeney said he was disappointed that last month's OFT report on mortgage payment methods failed to mention the BBA guidelines which, he said, had been welcomed by Sir Bryan at that time.

Lloyds Bank said the bank was committed to following the BBA guidelines and "if it is modified we would be very happy to see that happen." A Barclays spokesman said the bank fully supports the BBA mortgage guidelines and if mortgage selling rules are included in the next version of the code "I would not have thought that this would be a problem."

BUSINESS TODAY

STOCK MARKET		
FT-SE 100	3310.7	(+0.4)
Yield	4.14%	
FT-SE All share	1825.18	(+1.22)
Nikkei	16806.70	(+188.94)
New York	4442.32	(+11.75)
Dow Jones	227.10	(+1.55)
S&P Composite	227.10	(+1.55)

BOND RATE		
Federal Funds	6.75%	(5.75-6.75)
Long Bond	108.75	(107.75-109.75)
Yield	6.95%	(6.85-7.05)

LONDON MONEY		
3-month Interbank	9.75%	(9.75-9.75)
12-month Interbank	10.50%	(10.50-10.50)

STERLING		
New York	1.5662	(1.5665)
London	1.5675	(1.5715)
DM	2.2515	(2.2713)
FF	1.2530	(1.2440)
SP	1.8908	(1.8935)
Yen	135.55	(136.64)
S Index	84.1	(84.7)

US DOLLAR		
London	1.4443	(1.4480)
DM	5.8007	(5.8710)
SP	1.2085	(1.2080)
Yen	86.84	(86.75)
S Index	89.8	(89.7)

Tokyo close 87.45

OIL		
Brent 15-day (Jul)	\$18.20	(\$17.90)

GOLD		
London close	\$383.95	(\$383.45)

* denotes midday trading price

ADT to sell European car centres

By PHILIP PANGALOS

ADT, the world's largest car auction company, plans to sell its European auction houses. Some analysts expect them to fetch up to \$350 million.

The Bermuda-registered company, which is run from Boca Raton on Florida's east coast, has 57 auction centres around the world, of which 25 are in the UK and three on the European mainland.

The company, headed by Michael Ashcroft, has already appointed SG Warburg to find a "suitable purchaser" for its UK and European vehicle auction op-

erations and has opted for a trade sale rather than a flotation of the division.

After the proposed sale of the car auction businesses, which in the year to March 31 generated operating profits of \$37 million (£23.7 million), about 80 per cent of ADT's net sales and operating income will come from electronic security services.

Industry analysts were unclear last night as to the likely value of the auction business, but some more optimistic estimates were suggesting that it could fetch as much as \$350 million.

The company handles millions of vehicles every year, selling nearly half a million in the UK alone last year. It has done much to improve the image of car auctions over recent years, helped by the introduction of vehicle checks and warranties.

The announcement of the sale plan accompanied results for the first quarter of 1995. ADT's net operating income advanced to \$60.4 million (\$57 million) in the quarter as sales rose to \$373 million (\$336 million).

Net operating income from the car auctions arm slipped to \$24.6 million (\$26 million) on sales of \$112.3 million (\$98.1 million).

The number of cars sold through ADT's auction houses in America fell by 5 per cent because manufacturers have been releasing fewer cars, reflecting recent increases in short-term interest rates and new car prices. But, in the UK,



Michael Heseltine, President of the Board of Trade, raises his glass with Chinese officials and businessmen in Peking to mark the signing of a £25 million deal (Jon Ashworth writes).

The deal will enable Bass, Britain's biggest brewer, to break into the Chinese beer market through a joint venture with Gansu Beer Group, of Jilin province, to produce and sell Tennent's Lager. It is the first substantial local investment by a British brewer, and

Heseltine toasts brewing success

one of the first to emerge from this week's trade mission led by Mr Heseltine.

China is the world's second-largest beer market, after the US, yet per-capita consumption is barely a tenth of European levels, although

growing by 20 per cent a year. Sir Ian Prosser, chairman of Bass, said the fragmented state of the market offered considerable opportunities for growth and consolidation.

Tate & Lyle, the sweeteners group, separately signed a £9.5 million joint venture with a glutamate factory in Guangzhou through a French associate, and BOC, the chemicals and gases group, announced the creation of a new industrial gases company in Liaoning province. Others, including BT, Zeneca and Rolls-Royce, are expected to announce similar deals today.

Mr Heseltine, who flies to Shanghai tomorrow, said he expected "phenomenal" export opportunities to arise from the weeklong visit.

Pressure grows for increase in rates

By GEORGE SIVELL

RISING inflationary pressure on industry during April, apparent from factory gate prices announced yesterday, will force the Chancellor to raise interest rates, economists said.

Output prices during April rose 0.4 per cent, the same as March, but the year-on-year rate edged up from 3.8 to 4 per cent. The pressure on industry was highlighted by a leap in input prices of 0.7 per cent, compared with March's 0.2 per cent. The annual rate of input price rises remains unchanged at 11.5 per cent.

The Treasury, however, backed the Chancellor's view that the economy is showing signs of slowing. Officials argued that the three-month, annualised rate of output price inflation had slowed from 5.1 per cent in the quarter ending in March to 4.7 per cent in the quarter ending in April.

Analysts are concerned about the pound's weakness during April and early May, which has yet to feed through into prices. The Bank of England maintained in last week's *Inflation Report* that if interest rates were not raised then underlying inflation would not meet the lower half of the Government's 1-4 per cent target range in early 1997.

Andrew Milligan, chief economist at New Japan Securities, said the input price data in particular would reinforce speculation that the Chancellor would have to change his mind on interest rates in June or July, if forthcoming retail sales data were "sufficiently strong to give him excuses for doing so without losing face".

Market report, page 28

Tesco chief's pay tops £1m

By SARAH BAGNALL



MacLaurin: 27.5% rise

THE pay of Sir Ian MacLaurin, chairman of Tesco, crossed the £1 million barrier last year, coinciding with the supermarket group's topping of rival J Sainsbury to become Britain's biggest packaged grocer.

Sir Ian's pay rose 27.5 per cent from £794,000 to top £1 million, helped by performance-related bonuses of £334,000, up from £159,000 last time. Over the same period, the supermarket group's pre-tax profits rose from £528 million to £595 million. The highest paid director of Sainsbury, the

most profitable retailer, received £466,000 in 1993 and David Sainsbury, chairman and chief executive, received £350,000.

Tesco also made pension fund contributions on Sir Ian's behalf of £169,000, up from £151,000 last time. During the year, Sir Ian realised a further £474,000 through exercising 808,671 share options. No options were exercised in the previous year. Sir Ian entered the current year with more than 1 million share options and 273,969 Tesco shares. The

rise in Sir Ian's pay partly reverses its fall over the past four years from a high of £1.48 million.

Peter Sherlock, former chief executive of the NFC transport and logistics group, has won compensation of £585,000 for loss of office, his second payout in less than three years. He received £395,000 when he stepped down as chief executive of Holiday Inn Worldwide in 1992. He held each position for about 18 months.

Pennington, page 27

PIA refuses membership to seven firms of advisers

By ANNE ASHWORTH

SEVEN firms of financial advisers have been barred from membership of the watchdog body, the Personal Investment Authority (PIA), preventing them from carrying on investment business.

To date, the PIA, which has taken over the responsibilities of the life insurance watchdog, Lauro, and the financial advisers' body, Fimbra, has accepted 3,859 firms, but a further 1,230 applications are still being examined.

The PIA would not disclose

yesterday on what grounds it has rejected the seven firms.

Six of the seven were authorised by Fimbra, but that authorisation has been taken away. The six were: Robin Arnold of Bristol; AM George Insurance Consultant of Epsom; Birmingham; D&A J Hind of Exeter; J&J Insurance & Financial Consultants, Ealing, London W5; Lawson & Dixon of Newcastle Upon Tyne and John Stewart of Bulkington, Warwickshire. The seventh is Andrew Smith of Inverness.

Tunnel revenues improve

EUROTUNNEL, operator of the cross-Channel rail link, drew in £49.6 million of revenue in the first quarter of 1995, in line with internal forecasts made in the company's annual report (George Sivell writes).

Revenue has risen a little from the fourth quarter of 1994, when it reached £30.6 million. No comparison with the first quarter of 1994 is possible because of delays to the Tunnel's commercial services, which only began in the second quarter of last year.

The Tunnel only began carrying fare-paying passengers in November 1994, although passenger services on the Eurostar trains from London to Paris and Brussels and the Folkestone-Calais car shuttle are gradually being stepped up.

In addition, Eurotunnel said payments of £30.9 million for the first quarter of 1995 were receivable under the contract with the French and British rail companies using the Tunnel, although they are not accounted for as earned revenue.

Shares in Eurotunnel, which have been volatile because of the series of delays, legal battles and financing measures that have bedevilled the project, yesterday fell 5p to 198p.

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API Group edges up to £3.3m

API Group, the packaging, coatings and office consumables company, narrowly improved operating margins to 7.5 per cent from 7.3 per cent in the first half despite big raw material price rises.

In the six months to April 1, the company increased pre-tax profits to £3.3 million, lifting earnings to 10.78p a share from 9.55p. The interim dividend rises to 4.07p a share from 3.7p and will be paid on July 3. Michael Smith, chief executive, said a strong order book, recent acquisitions and internal investment provided good prospects for the full year.

Diploma ahead

Diploma, the industrial holding company, is lifting the interim dividend to 4.5p a share from 4p after a rise in pre-tax profits to £13.5 million from £11.5 million in the half year to March 31. The interim dividend will be paid on July 4 from earnings of 15.5p a share, up from 13.5p. Turnover of £107.5 million compared with £90.1 million previously.

Abacus at £3m

Abacus, the distributor of electronic components, raised pre-tax profits in the half-year to March 31 to £3.1 million from £2 million and earnings improved to 5.9p a share from 4.6p. The interim dividend rises to 1.6p a share from 1.1p, to be paid on July 27.

Platinum high

Platinum, which traded at a four-year high of \$459 an ounce on April 5, is likely to range between \$420 and \$470 an ounce for the rest of 1995, Johnson Matthey's annual Platinum survey, published yesterday, forecasts. In 1994, world demand for platinum rose 11 per cent to 4.51 million ozs, while supplies rose 3 per cent to 4.53 million ozs.

Sun Healthcare buys into Ashbourne



Tom Hamilton, chief executive of Ashbourne. The company now has a 15 per cent long-term American shareholder

BY MARTIN BARROW

SUN Healthcare Group, a long-term care provider in America, has acquired a 15 per cent interest in Ashbourne, the UK nursing home company, at a cost of about £12 million. Sun, which acquired the shares from funds managed by Electra Kingsway, said it intends to be "a supportive, long-term shareholder." The investment is worth 150p a share.

At the same time Quality Care Homes, an Ashbourne competitor, revealed that a subsidiary of Sun Healthcare had made a conditional approach. However, Duncan Bannatyne, the chairman, had indicated he was not prepared to accept the offer, potentially worth 330p a share, in respect of not less than 60 per cent of the company, a condition of the bid.

Yesterday Ashbourne reported £3.1 million (£400,000) taxable profit for the half year to April 2. The maiden interim is 1.1p. Ashbourne shares rose 13p to 153p.

Dow Corning files for bankruptcy protection

FROM ASSOCIATED PRESS IN MIDLAND, MICHIGAN

DOW CORNING, once America's leading maker of breast implants, has filed for federal bankruptcy protection because of lawsuits over the implants.

The company, a joint venture of Dow Chemical and Corning Inc. filed under Chapter 11 of the federal bankruptcy code but insisted that its underlying business remains strong. The bankruptcy action was filed in the US District Court in Bay City, Michigan.

Hundreds of thousands of women who received the breast implants have sued their manufacturers, saying the implants have caused them a variety of ailments, including lupus and hardening of the breasts.

The federal Food and Drug

Administration has banned use of the implants for patients who want them strictly for cosmetic reasons. Dow Corning said it hopes the bankruptcy filing will allow it to remain part of the global settlement of some of the suits.

The filing freezes all lawsuits against the company. Dow Corning has stopped making implants, but contends they are safe. It and other makers of the implants face billions of dollars in damages. Dow Corning's continuing operations remain strong, but the lawsuits threatened its economic health.

Richard Hazleton, chairman and chief executive officer, said in a news release: "Dow Corning will continue to supply products to our customers, and compensate our

suppliers and employees as we have in the past."

A \$4.2 billion worldwide settlement of about 400,000 implant cases was approved last year by a US district judge in Birmingham, Alabama, but about 11,000 women chose to file separate lawsuits against the manufacturers.

Dow Corning has pledged \$2 billion to the settlement, but the company could lose billions more in the other cases. In addition, talks are under way to expand the global settlement, and Dow Corning and other manufacturers might have to increase their contributions.

Mr Hazleton said: "We decided to take this action while we are in a position of financial strength, with the cash to continue operating our busi-

ness without disruption."

Jeffrey Glanc, an analyst with Bear Stearns and Co in New York, said that the filing was no surprise. "It's obvious it was coming based on the global settlement getting renegotiated," he said.

Stanley Chesley, a lawyer who helped negotiate the court settlement with Dow Corning on behalf of thousands of women, yesterday said the filing will not allow the company to escape its obligation to pay women covered under the settlement. "They have the assets to do it," Mr Chesley said. "We are their largest creditor, the women of America I represent."

The company said scientific evidence continues to support its claim that the breast implants are safe.

UK power firms bid in Australia

BY RACHEL BRIDGE

TWO British electricity companies have joined the takeover race for United Energy, Australia's first electricity privatisation candidate. Southern Electric and Scottish Power are both understood to have bid for the electricity distribution company, expected to carry a price tag of about £12 billion (£540 million). There are more than 20 other contestants.

Southern Electric has joined forces with local gas distribution company Australian Gas Light in a 50/50 joint venture, while Scottish Power has bid alone but is understood to be planning to seek an Australian partner.

The sale marks the first step in the Victoria state government's \$15 billion sell-off of its electricity industry. The four remaining distribution companies are due to be sold by the end of this year.

BUSINESS ROUNDUP

Smith & Nephew buys US instrument maker

SMITH & NEPHEW, the international healthcare group, is strengthening its position as the world's largest maker of keyhole surgery instruments with the £90 million purchase of Acuflex, of America. Acuflex, which is being bought from American Home Products Corporation, designs and makes a range of products, such as hand-held surgical instruments and soft tissue fixation devices, used in minimally invasive surgery procedures. It is the market leader in the manufacture of instruments for ligament repair, complementing Smith & Nephew's market leadership in cartilage repair.

The acquisition is being funded out of existing banking facilities and no debt is being taken on. Acuflex, which is based in Massachusetts, has 319 employees and made an operating profit of £4.5 million on sales of £35 million in 1994. It had net assets of £19 million.

CI agrees to £20m bid

CI GROUP, the Wolverhampton engineer, has agreed to a £19.9 million takeover bid from Ash & Lacy, the West Midlands metal products group. The offer is on the basis of ten new Ash & Lacy shares and 372.6p for every 81 CI shares, with a mix and match election, valuing each CI share at 23p. Ash & Lacy reported strong sales and profits in the first quarter of the current year. CI shares gained 4p to 22p, while Ash & Lacy eased 4p to 145p. Tempus, page 28

Axe for 26 Texas stores

J SAINSBURY, the supermarket group, is to shut 26 Texas Homebase stores, less than half of those originally earmarked for closure when it acquired the 241-strong DIY chain in January. The company is also closing two of its 82 Homebase stores. The 28 stores employ 800 people, but the level of redundancies is not yet clear as some staff may be redeployed to Sainsbury's supermarket and Savacentre businesses or the 14 Homebase stores planned to open this year.

Fine Decor tumbles

FINE DECOR, the manufacturer and supplier of wallcoverings and co-ordinated products, suffered a decline in profits to £2.15 million before tax last year from £3.03 million. However, the company has increased the total dividend to 7.7p a share from 7.5p. Sales have improved in the first three months of the current year, the company said, and first half profits were likely to compare favourably with the second half of last year. Fine Decor shares fell 21½p to 127½p.

Fenner to treble payout

FENNER, the electronic controls and power transmission group, is recommending a threefold increase in its interim dividend to 1.5p (0.5p) after improved margins and increased sales helped first-half profits to advance by 90 per cent. Improved economic activity and gains in market share enabled pre-tax profits to jump to £5.1 million in the half year to February 28, up from last time's £2.91 million, which was depressed by a £2 million exceptional charge.

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NYNEX CableComms is one of the leading providers of both cable television and telecommunications services in the UK and is licensed to provide these services in 16 franchise areas covering approximately 2.7 million homes. NYNEX CableComms believes

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0800 736736

Imro to impose individual fines for rule-breaking

BY OUR BUSINESS STAFF

THE Investment Management Regulatory Organisation (Imro) is set to introduce fines for individuals involved in breaking its rules. Until now, companies have been fined for misdemeanours, but the regulator intends by the autumn to make individual salesmen and others within investment companies responsible for their actions.

The regulator, which had a 50 per cent rise in the number of complaints about its members last year, had 84 investigations in progress at the end of the year. Some of these could lead to individual fines and even prosecutions. Imro is tightening its punishment regime at a time when the Personal Investment Authority, which regulates those firms that sell directly to investors, is planning to move from fines for companies to compulsory advertisements detailing any wrongdoing. In its regulatory plan and performance indicators, published yesterday, Imro has set itself the target of higher standards of "regulatory effectiveness and investor protection".

It will process applications from investment firms more quickly and will follow up new members with an inspection visit within the first 12 months. Last year, only one new member was referred to the enforcement division in the first



Thorpe: protecting investors

12 months of membership. That number was likely to rise with a commitment to more inspections, but would also result in better investor protection, Philip Thorpe, chief executive of Imro, said.

The regulator will also be reviewing the categories of business that firms are permitted to undertake and will pay particular attention to what use investment managers make of derivatives.

Of the 84 cases being investigated at the end of the year, some 30 involved pension transfers, but none of these is likely to involve an individual fine. Imro recently removed the maximum on fines so there would be no limit on the amount individuals could be forced to pay.

TOURIST RATES

	Bank	Bank
	Buy	Sell
Australia \$	2.23	2.06
Canada \$	17.01	15.51
Denmark Kr	46.79	45.48
France Fr	2.23	2.07
Germany DM	0.798	0.701
Italy Lit	8.49	8.89
Japan Yen	7.50	6.86
Netherlands Gld	2.41	2.22
Portugal Esc	200.00	183.00
Spain Ptas	166.00	153.00
Sweden Kr	1.36	1.25
Switzerland Fr	2.03	1.85
Turkey Lira	1.85	1.68
USA \$	1.58	1.50

Rates for small denomination bank notes only as supplied by Barclays Bank PLC. Different rates apply to travellers' cheques. Rates as at close of trading yesterday.

Reject Shop in crisis talks

THE Reject Shop, the loss-making subsidiary of Upton & Southern, is locked in crisis talks with its bankers and other parties in a bid to save off financial disaster.

Upton & Southern, the department store group, acquired 31 Reject Shops last February for £2.3 million.

Last month the company revealed that The Reject Shop had made a £1 million operating loss in the six months to January 29, which resulted in the group making a £1.1 million loss overall, compared to a £92,000 profit last time. According to the group's latest accounts, Upton & Southern have guaranteed £500,000 of The Reject Shop's bank debt.



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SKF ANNOUNCES AN INNOVATION TO THE WORLD: A completely new bearing called CARB™. This stands for Compact Aligning Roller Bearing. It is more tolerant than other bearings. Not only to heavier loads and higher speeds, but also to axial displacement and misalignment. It is an unusually compact bearing. (Machines with CARB™ roller bearings can be made smaller.) It is a bearing with low friction. (Running is smoother, safer and cheaper.) It is a thoroughly field-tested product. At the Modo Braviken Paper Mill in Sweden and Stora Kabel GmbH in Germany, to be more precise. In the long term the CARB™ roller bearing will mean considerably more for the world. Production has already commenced for a limited product range.

SKF'S CONSOLIDATED INCOME after financial income and expense for the first quarter of 1995 totalled 907 million Swedish kronor (306 m).

Group sales rose to SEK 9,712 m (8,052 m). Earnings per share after tax were SEK 5.05 (2.20). Capital expenditures in property, plant and equipment totalled SEK 398 m (190 m). The average number of employees was 41,293 (39,668).

At the end of the quarter, the Group's inventories amounted to 25.6 percent (29.6) of total sales. The return on capital employed for the 12-month period ended on March 31 1995 was 14.9 percent (6.8).

The return on shareholders' equity was 16.3 percent (1.5) and Group solvency was 30.4 percent (27.3).

Demand for the Group's products remains strong. Volumes are expected to increase by between 10 and 15 percent during 1995. The trend of prices will be better than in the preceding year.

AVERAGE RATE OF EXCHANGE
JAN-MARCH 1995: 1GBP = 11.69 SEK.
JAN-MARCH 1994: 1GBP = 11.96 SEK.



SKF

ROUNDUP

ephew buy
ent maker

national healthcare group, the world's largest purchaser of pharmaceuticals, is buying a 10% stake in the pharmaceutical company, which is a major supplier of drugs to the NHS. The deal is worth £200 million.

£20m bid

Portsmouth City Council has agreed to sell the council's 50% stake in the Portsmouth Harbour Ferry Company to a consortium of private investors for £20 million.

exas stores

Halifax Bank has agreed to sell its 50% stake in the Exas stores to a consortium of private investors for £20 million.

tumbles

Shares in Tadpole Technology, the portable computers and electronics group, crashed a further 5p to 83p after it accompanied a return from suspension with heavy half losses and a boardroom resignation (Philip Pangalos writes).

able payou

Shares in Nynex CableComms, the second largest cable group, is pushing ahead with its flotation in spite of market jitters that have hit the share prices of two rival operators.

Nynex, wholly owned by Nynex Corporation, a regional telephone operator in New York and New England, said the flotation will raise between £400 million and £460 million through the sale of 305 million shares.

The shares, priced between 13p and 15p, will start trading on June 9 on the London and Nasdaq markets.

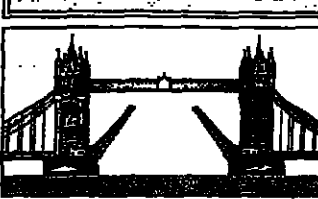
There had been speculation that the company would postpone the flotation until the autumn, in order to distance itself from General Cable's disastrous initial public offering last month.

General, controlled by Compagnie Générale des Eaux, of France, had intended to float its shares between 220p and 250p. At the last minute, it had to cut the price to 190p to ensure their place-

□ Railtrack's sale should be shelved □ Labour targets the institutions □ Beating lawsuits with bankruptcy

Keeping it on the rails

PENNINGTON



ceivably attracted by the prospect of a floodlit AGM, is having his kicks.

Griffiths' essential message to City institutions appears to be that if they do not vote in favour of a resolution put forward by Pirc, a corporate governance consultancy, this will be borne in mind by Tony Blair & Co come a future Labour Government.

Pirc is responsible for "Resolution 13" which calls upon British Gas to "revise its remuneration policy for executives in line with standards of best practice" and report back to shareholders. A carefully worded, low-key proposal which, in reality, is not far short of a no confidence motion.

Richard Giordano, British Gas's chairman, recently wrote to in-

stitutions arguing that directors' pay "fully meets current best practice" and therefore any review "would only lead to the same conclusion".

Such lobbying by Pirc and British Gas—all good stuff—will presumably continue during the run up to the AGM on May 31. But Labour's intervention has raised eyebrows, not least among fund managers who perceive Mr Griffiths' style to be long on threats and short on debate.

Mr Griffiths has warned that British Gas's AGM will be a major test for City institutions. Last week he proclaimed: "This is their chance to show that they can be trusted to take action at companies when it matters." Just for good measure he added: "How these fund managers act at the annual meeting will greatly influence how we frame legislation [on corporate governance] for the future."

Mr Griffiths' crawl around the prawn cocktail circuit is ongoing with the likes of the Association of British Insurers pencilled in for this week and the NAF and MAM in his sights. Perhaps someone should explain to Mr

Griffiths that the institutions do not like to tinker. By and large they either support management or gun them down.

Settling for an imperfect world

□ DOW CORNING'S bankruptcy suit may prove a catalyst for a change of attitudes. It was provoked by a legal impasse over what the company claims are "exorbitant demands". But what is reasonable?

Sybil Gooldrich, one of many women suing over breast implants once made by the joint venture, argues: "It is tragic that the American way of doing business now is that as soon as you injure somebody you go out of business." Richard Hazleton, Dow Corning's chairman, seems to confirm the suspicion: "We decided to take this action while we are in a position of financial strength, with the cash to continue operating our business without disruption."

Chapter 11 of America's bankruptcy code is extreme in protecting businesses. Yet similar issues

press in Britain in anything from auditing to tobacco, where law fails to draw clear lines between blame and ability to pay when things go terribly wrong.

KPMG, the second biggest UK accounting firm, is likely to pioneer incorporation of auditing businesses to limit liability. Auditors and their insurers are often the only ones able to pay in cases of joint and several liability, regardless of the spread of blame.

Where large groups claim terrible medical damage from products, that damage is often unquantifiable. But that does not mean the sky is the limit or that infinite resources are available, as Lloyd's names have discovered. Practical, imperfect, settlements must be agreed, for limited liability ultimately means just that.

Utility moggy

□ FANCY being a far-cat? Then don't aim to run a utility, for all the repetitive Labour hype. Utilities dominate Britain's top 100 companies. The Sunday Times list of the 500 richest people, from £2.5 billion to £25 million, tells another story. It is full of titled landowners, retail moguls, developers, electronics entrepreneurs and showbiz folk. But search in vain for utility chiefs or other "fat-cat" managers.

Nynex presses ahead with £400m float

By ERIC REGULY

NYNEX CableComms, the second largest cable group, is pushing ahead with its flotation in spite of market jitters that have hit the share prices of two rival operators.

Nynex, wholly owned by Nynex Corporation, a regional telephone operator in New York and New England, said the flotation will raise between £400 million and £460 million through the sale of 305 million shares. The shares, priced between 13p and 15p, will start trading on June 9 on the London and Nasdaq markets.

There had been speculation that the company would postpone the flotation until the autumn, in order to distance itself from General Cable's disastrous initial public offering last month.

General, controlled by Compagnie Générale des Eaux, of France, had intended to float its shares between 220p and 250p. At the last minute, it had to cut the price to 190p to ensure their place-

ment among sceptical investors. The shares have sunk since then. Shares of TeleWest Communications, the largest cable company, have also fallen from their 182p flotation price in November.

Eugene Connell, Nynex's chief executive, said the company is going ahead because there is no guarantee the market will be any more receptive in the autumn.

Nynex said it will launch its shares at a discount to TeleWest's price. At 13p, the low end of the range, Nynex shares would represent a discount of 22 per cent to the TeleWest price of 156p on Friday, based on a "franchise value per home" calculation.

James Dodd, an analyst with Kleinwort Benson, said that Nynex's proposed share price range, in spite of the discount to TeleWest's, may not be enough to win over investors. He notes that Nynex, on a relative basis, is cheaper only than TeleWest. If invest-

tors want more cable stock, they may opt instead for any of the five other listed cable companies with lower premiums.

Nynex also suffers from high "churn", or disconnection rates. In the 12 months to the end of March, the company lost 32 per cent of its cable-TV customers, up from 31 per cent in 1994. Mr Connell said: "It's a very, very expensive phenomenon. I'm not very satisfied with 32 per cent churn." He expects the churn rate to fall to 25 per cent — below the industry average — this year.

□ General Cable, the sixth largest cable operator, incurred a loss of £6.35 million (£3.19 million loss) in the quarter to the end of March. General's disconnection rate fell from 43 to 29 per cent among TV subscribers, and from 27 to 16 per cent among telephony subscribers. The shares rose 1p to 184p.

Tempus, page 28

Tadpole Technology takes another dive

SHARES in Tadpole Technology, the portable computers and electronics group, crashed a further 5p to 83p after it accompanied a return from suspension with heavy half losses and a boardroom resignation (Philip Pangalos writes).

Tadpole shares have collapsed from

last November's high of 440p and last week's pre-suspension level of 178p. The company, floated in December 1992 at 65p, soon saw its shares chased sharply higher as the market perceived it as a possible wonder-stock.

Tadpole has since undergone a series of fund-raising measures, in-

cluding a placing of 125 million shares less than two months ago at 210p. The shares were suspended last Thursday and the Stock Exchange is investigating the collapse. Yesterday, the company brought forward interim results showing pre-tax losses of £5.9 million (£1.34 million loss) in the six

months to March 31. Turnover rose to £11.4 million (£10.6 million).

The losses were accompanied by the resignation of Geoff Burr, a main board director. He is expected to receive about £100,000 compensation.

Tempus, page 28

BTR IN THE WORLD



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Directors will share £7m in Silk flotation

CHRISTOPHER Norland, chairman of Silk Industries, Clive Reeks, the finance director, and three fellow directors will between them own shares worth more than £7 million when the silk manufacturer floats on the Stock Exchange this summer (Sarah Bagnall writes).

The company is raising about £15 million through a share placing which will value it at about £15 million. The directors plan to realise some £500,000 by reducing their combined holding from 52 per cent to 48 per cent. Silk Industries was an £82 million buyout from Sioddard Holdings in 1989. Lloyd's Development Capital, BZW Private Equity, and CVC venture capitalists, are expected to cut their combined holding from 30 per cent to 5 per cent.



Clive Reeks, left, and David King, Silk sales director

Credit card firms bow to OFT pressure

Victory for plastic abroad

By SARA MCCONNELL

PEOPLE who use their credit cards abroad and then fail to get the goods they have paid for will now be able to claim their money back from the card issuer.

Issuers had argued they were not liable under the Consumer Credit Act 1974 for overseas transactions, but have now bowed to pressure from the Office of Fair Trading, which believes they are.

Payouts for losses will start immediately, but card issuers say these will be made on an ex gratia basis until the law is clarified as the OFT recommends. If the law has not been changed by the end of next year, issuers and the OFT will review the situation. Sir Bryan

Carsberg, Director-General of Fair Trading, welcomed the issuers' agreement.

But he added: "It is not in the interests of either consumers or card issuers to be reliant on essentially informal understandings in the longer term. I therefore think it important that my recommendations should be implemented as quickly as possible."

His remarks were contained in a OFT report that recommended a number of changes to the Consumer Credit Act. The changes are meant to create a better balance between consumers' rights and issuers' concerns about the extent of their liability under the Act to compensate

cardholders. The report rejected calls from issuers to abolish their "joint and several liability" with suppliers to pay compensation and instead force cardholders to claim from the supplier first.

But the report recommended limiting issuers' liability to the amount of credit involved in the transaction. At the moment, their liability is unlimited.

The OFT said that issuers should also be able to turn to an insurance or bonding scheme and claim back any money they have paid out to a cardholder after the collapse of a company. Travel companies in particular have insurance that will pay out to customers.

Philip Bassett assesses business reaction to Jacques Santer

Divided by a common currency

When Jacques Santer, the President of the European Commission, gets to his feet to address business leaders at the annual dinner of the Confederation of British Industry tonight, it won't exactly be a case of Daniel entering the lion's den. But even though he has, as far as the business world is concerned, the huge advantage of not being his predecessor Jacques Delors, Europe still makes British business uneasy.

Mr Santer's expected emphasis tonight on the importance of competitiveness will be welcomed. Business in the UK is largely resigned to the advance of social legislation under the social chapter, though it is still kicking against the details. In particular, given the Commission's proposals for institutional change, business is bracing itself for Brussels coming back at the UK next year and demanding the end of its social opt-out.

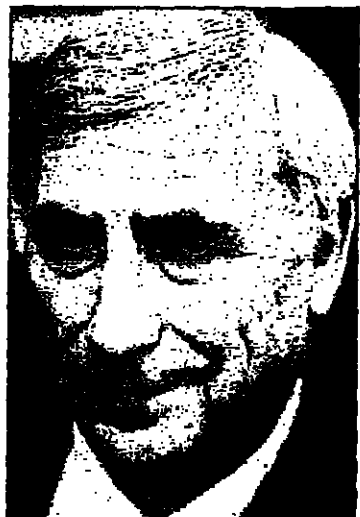
But what concerns business most on the European agenda, and in Mr Santer's remarks tonight, is economic and monetary union — a single currency. While not as openly or as bitterly divided over it as the Conservative Government, British industry is unquestionably far from unanimous on the issue.

Mr Santer's signals are already clear. In a speech at Guildhall ten days ago, he insisted that monetary union would come by the end of the century — despite Britain's opposition to it as evidenced in its single currency opt-out. "EMU is not a pipedream, and it is becoming more concrete as time moves on."

Big and small companies are lining up on the issue. Stanley Kalms, of Dixons, for instance, is strongly opposed, while BP's chief executive David Simon is equally strongly in favour. The differences reflect in part the advantage — especially for smaller firms — of lower currency transaction costs, and in part the degree to which companies operate in domestic or export markets.

"We are quite relaxed about it," says Sir Ian MacLaurin, Tesco's chairman. "In the medium to long term, it will probably be beneficial." Sir Robin Ibbotson, chairman of Lloyds Bank, says: "It is absolutely desirable as a long-term point to reach. It would be much easier to trade across Europe with a single currency. But the transition from where we are at the moment is a difficult one."

Such difficulties clearly inform the findings of business surveys on the issue. An Ernst & Young poll taken among local business leaders at last week's Chambers of Commerce conference in Aberdeen showed three-fifths were in favour of



Jacques Santer flanked on the left by Stanley Kalms, top, and Tim Melville-Ross, and on the right by David Simon, top, and Sir Robin Ibbotson

EMU, though a similar survey by the BBC suggested that over half thought it would make no difference to their business.

Part of business's difficulty with EMU is that it isn't a clear-cut issue. The social chapter? No problem. Puts up costs, doesn't it? Fine — we're against it (though the proof of the pudding in terms, for instance, of European works councils is proving a good deal more edible).

EMU, though, presents business with more complicated considerations, both for and against. Last week the principal policy committee of the strongly Eurosceptic Institute of Directors approved a policy document on the single currency which, when it is published next month, will go carefully into the pro and anti arguments.

IoD leaders believe that, like marriage, monetary union is an enormous step. But unlike marriage, it believes it will be almost

impossible to escape from EMU. The institute thinks that the UK economy is too different from others and not sufficiently integrated with them to mean anything other than that it will be disadvantaged by EMU compared with other countries most likely to take part.

Brused by business's bad experience with the exchange-rate mechanism, to which it was consistently opposed, the IoD is likely to conclude that it will not be in the UK's interests for the foreseeable future to take part in a single currency and, indeed, that there need be no serious consequences for Britain if it does not do so.

Tim Melville-Ross, the IoD's Director-General, has gone apocalyptic about a single currency, arguing that short of going to war, Britain faces no more important decision — IoD leaders believe that, like marriage, monetary union is an enormous step. But unlike marriage, it believes it will be almost

"There is a move away from a view that a single currency is inevitable by 1999," he says. In spite of Mr Santer's declaration, which he is likely to restate tonight, the IoD leader says: "Nobody really sees it as a realistic proposition this century."

However, Mr Melville-Ross — who recently told *The Times* that business now expects Labour to win the next UK general election — believes that the likelihood of EMU will change if there is a different government in the UK. An EMU decision, he says, "ought to be driven by economic considerations. But it is still too much driven by political considerations."

IoD leaders are clear, they're opposed to EMU. But the rest of the business world and the organisations that represent it are less sure. "There is support among the

business community for a single currency — especially among smaller firms which are heavily involved in exporting," says Richard Brown, deputy director-general of the British Chambers of Commerce. "But it's not unequivocal."

Exporters clearly do like it — or at the very least, they don't think it will damage them. Research by Gallup, the polling organisation, among Britain's leading exporters shows that 40 per cent believe Britain's participation in a single currency would help UK export prospects, while a further 30 per cent believe it would make no difference.

Away from the IoD's certainties, such differentiated views allow much of business to accept the line in Government associated with the Prime Minister and the Chancellor that there is no need yet to move to a definite decision on EMU.

"I identify no strong pressure from within the business commu-

ity to reach a judgment on this at the present time," says Howard Davies, the outgoing CBI Director-General, who will flank Mr Santer tonight and who has held private talks with him recently on such issues as EMU.

Business leaders can clearly see how crucial the argument over EMU may be for the Conservative Party, and particularly in the struggle for its leadership. But they don't see much point for business yet in forming any final view, particularly since the economic circumstances in which such a view would be taken are as yet far from clear.

The CBI's own internal evidence reflects that. CBI leaders doubt that their member companies' views have much changed since a survey taken at the time of its last annual conference showed 28 per cent accepting EMU as a "necessary" condition of a European single market, with a further 56 per cent believing it was "helpful" to business in the long term. Eight per cent saw monetary union as "positively damaging".

But strong pro-Europeans in industry see EMU as vital. Keith Richardson, secretary-general of the European Round Table of Industrialists, says the fragmentation of Europe into so many currency areas is now the single largest block to the integrated economic base which industry needs.

For the unions, TUC general secretary John Monks says: "The view of the TUC is that we would say yes to a single currency, provided there were two dimensions built into it — regard for its employment effects and the need for the development of social Europe as an integral part of economic and monetary union."

In one sense, business's concentration on a single currency is curious. The effects on industry are more immediate than those of both the social chapter and the restructuring of the EU at next year's inter-governmental conference. But of course, the terms of trade which EMU would affect hit directly at the bottom line, and so companies in the UK are rightly concerned about an argument which for them is a good deal more than just an esoteric clash of ideology.

So Mr Santer's speech tonight to the CBI will be pored over by business leaders. They will want to know at least what the Commission's current thinking is on these key issues. But they will know, too, that it will be far from the last word — that for business everything is still to play for in the great debate over Europe.



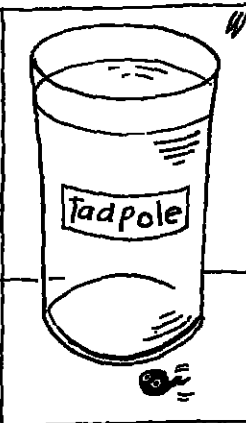
Another lost boy

MICHAEL EISNER, the Disney chief, should be turning 15 shades of pink after reading criticism of the extravaganzas alleged in the building of the Disneyland Paris theme park in the June issue of *Esquire*. Not only did the Magic Kingdom try out 15 different pink paints before the right image was achieved but executives, not trusting Gallic potables, washed their clothes in Evian and ordered their dog food from California, the article says. Such excesses added 41 cents to every construction dollar says *Esquire*. Among 1,000 Irish workers brought in to speed up construction was an IRA man who ran foul of the SAS and was allegedly entombed in the foundation of the Peter Pan attraction, according to Euro Disney lore.

Zolongo Zolo

HANSON is handing out not only interim figures today, but also lots of Zolo, too. Who/what is Zolo? It is an abstract model and creative play system that turns into wonderful plastic shapes and is based on ancient Indonesian fertility forms. Hanson says Zolo belongs to Hanson's subsidiary that is going stateside in the group's demerger. Our loss is America's gain.

LAURIE BEEVERS, who helped to float *Sons of Gwalia*, the Aussie gold mine — where Herbert Hoover, the US President, was once manager — and his chum David Youngman, have resigned from *Manchester broker John Holland and joined broker WH Ireland Stephens*, where BEEVERS becomes chief executive.



Volte face

HOW they change... Dr Adil Elias is the man who in October 1992, appeared in the Luxembourg court, Cayman Islands and English courts against the \$1.7 billion compensation settlement negotiated by the liquidator of the collapsed BCCI and the Abu Dhabi authorities, its majority shareholder, delaying payment by 18 months. Is this the same Dr Adil Elias who in a letter to the *Financial Times* says he is "dismayed" to learn that former BCCI employees have delayed payment of compensation with an appeal against the new agreement in the Luxembourg courts?

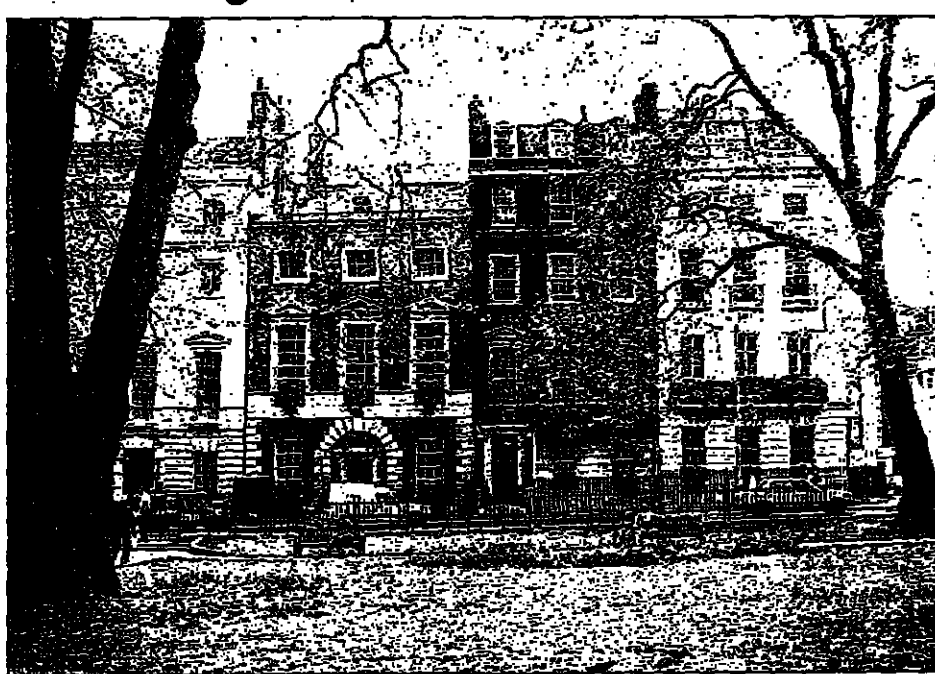
Real models

NO SOONER does Alison Hargreaves become the first woman to reach the summit of Everest alone and without oxygen, than *Harpers & Queen* hits the streets proclaiming the end of masculine-style corporations and the rise of the female boss. Today's edition notes that until the 1960s, women at Procter & Gamble had to wear skirts and eat in a separate restaurant. Heidi Hunter, insurance woman of the year (1995), recalls being told early in her career that she should really get married so she wouldn't have to work so hard, and Sue Murphy, finance director of MFI, notes: "I'm very lucky because my husband had a great desire to look after our 15-month-old son. We have role-reversed. It works very well."

COLIN CAMPBELL

Berkeley Square's elegant fronts hide surveyors' tale of hardship

In a world where location is all, some are paying a higher price than others, writes Carl Mortished



Berkeley Square, where property professionals are facing an unprecedented squeeze

A posh London address is important to a chartered surveyor. No self-respecting property agent would even contemplate a move to cheaper premises south of the river. Big names rub shoulders in Mayfair's Hanover Square or Berkeley Square — addresses that testify to the estate agent's enduring belief that location is everything. But they are paying a high price for their convictions. The likes of Richard Ellis and Jones Lang Wootton have not yet been forced to move their head offices to Southwark, Hounslow or Canary Wharf in search of cheaper rents. But in the past year, London's property professionals have seen business touch depths never before experienced.

At the Coach & Horses in Mayfair, an industry watering hole, the talk is of layoffs, cash calls on senior partners and smaller firms squeezed between the high cost of their West End rents and falling incomes. Grimley JR Eve is discussing layoffs of up to 25 staff, while even the prestigious Jones Lang Wootton cut its cloth, making five fee-earners redundant. In the past month, the axe has fallen at Richard Ellis, which lost 30 jobs, and Healey & Baker which shed 20.

Rodney Petty, a partner at Weatherall Green & Smith, summed up the problem. "There are too many surveyors. That is going to have to be sorted out," he said.

Property and construction have been in recession for five years, but surveyor numbers have grown, swelled by graduates entering a profession still seen by some as a quick route to wealth. Few have left the

business. Partners leave troubled firms but set up on their own with lower costs.

The head of the retail department at Colliers Erdman Lewis has just left to set up his own practice with three former colleagues. After years of troubles and a succession of mergers, Colliers announced a £500,000 refinancing last month, including a cash call on directors. Employees have taken salary cuts of up to 10 per cent as part of a new pay structure. The firm was doubtly squeezed during the recession after the merger of two practices left it paying an extra £1 million in rent.

Richard Lay, chairman of DTZ Debenham Thorpe and a spokesman for the Royal Institution of Chartered Surveyors, worries that the gradual starvation of surveying firms is undermining the quality of their work. "A feature of our market is free entry. The total number of surveyors has probably risen by 10 per cent over the past four years at a time when the size of the market has fallen by 15 per cent. Partnerships don't easily go bust. People can set up shop

on their own, in rent-free offices with a desk and a phone. If we were a normal industry, the weak would go to the wall, the strong would gain and prices would rise."

Instead, prices are falling. Paul Orchard-Lisle, senior partner of Healey & Baker, blames fee-cutting on professional work such as property management and valuations.

There are too many surveyors. That is going to have to be sorted out

bread and butter for many firms. He points to recent competition for an asset management job, which three years ago would have gone for a commission of 3 per cent but was secured by a rival bid at 4 per cent. "At that figure you cannot make a profit."

"If you talk to some firms, they will say the partners are not sleeping for worry," Mr

Orchard-Lisle believes the shake-out will come in the medium-sized practices. "You have to be a big international firm or a boutique; those in the middle will merge or fail."

Ironically, many firms expanded their professional departments during the property recession believing that the recurring business of building management, valuations and rent reviews would prove more defensive than broking investment deals. But competition from small practices has cut or eliminated profit margins at the high-cost large firms. Staff are now being thrown back into investment work, advising large funds and setting up cross-border investment vehicles such as Beckwith Property Fund Management in which Richard Ellis has a 25 per cent interest.

Andrew Huntley, senior partner at Richard Ellis, said his firm has had to change tack: "I remember saying in 1991, we need to have a business which is two-thirds professional. There are now too many surveyors. It is a cost-cutting war." Jobs lost at Richard Ellis included fee-

earners in property management and building consultancy, areas severely hit by competition.

Surveyors experienced a false dawn in 1993 that continued into the beginning of last year when foreign, mainly German, investors poured money into London seeking the high yields then available from office properties whose values had tumbled. Interest rates rose but paid to the investment boom, but more worrying has been the lack of growth in demand from tenants, the real motor of the property market.

Today, the big firms are making more money abroad than at home. Jones Lang Wootton had revenues of £230 million worldwide last year, but earned only £55 million in Britain with another £55 million from the rest of Europe. The big money-spinner was Asia. Richard Ellis had a similar experience with the home team generating £37 million, while its overseas offices billed £68 million in fees.

In the face of such gloom, firms are taking on new blood although each graduate post is swamped with applicants. Healey & Baker received 1,000 applications for eight jobs and JLW sorted through 600 CVs and interviewed 180 graduates to pick 12 who can expect to be paid a starting salary of about £13,000 per year. Peter Martlew, JLW's managing partner, said: "We are looking for people with the right language skills." Young staff will also have to work longer to pay for the upkeep of partners pushed into early retirement.

There are now 93,000 surveyors in Britain, compared with 84,000 in 1989. Mr Orchard-Lisle concedes that the profession is probably overpaid at the top end, but top partners are more concerned that intelligent young people will be put off surveying. "The average entrant is said to be of lower quality," he worries, adding: "But for top graduates there is a future." That future looks a lot less glamorous than the posh buildings in Mayfair.

BUSINESS LETTERS

Special sharedealing facility for small Hanson shareholders in US demerger

From the vice chairman, Hanson

Sir, Hanson plc has always taken enormous trouble in looking after private shareholders so we were sorry to read in your letters column (Business Letters, May 5) that Mr Sydney Melvin is not happy with the proposed demerger of our small United States businesses through US Industries Inc.

This move has been commended for making good business and financial sense and being in the long-term best interests of our shareholders.

Recognising that some Hanson shareholders might not wish to hold shares in a United States company, we

announced a special dealing facility for holders of less than 100 US Industries Inc. shares to sell their shares at very low charges. It is also possible for them to top up their allocated shareholding if they so prefer.

This means that if he wishes, Mr Melvin will be able to sell his US Industries Inc. shares with minimal administration and expense and receive a sterling cheque for the proceeds. This facility would seem to meet his concerns.

Yours faithfully, MARTIN G. TAYLOR, Vice Chairman, Hanson Plc, 1 Grosvenor Place, SW1.

Premium bonds and large investors

From Ms Carole Berry

Sir, It is with great interest and boring regularity that I read the premium bond winners' list. Today was no exception.

Once again, the £100,000 prize winner, bless him, has a holding of £10,000 and comes from South Oxfordshire. I do not hold residency in South Oxfordshire to blame at all, but I do resent all the winners who have holdings in excess of £1,000. Surely they could invest their great wealth elsewhere and can earn large amounts of interest and leave the field clear for the little guys? This is pure sour grapes, of course. I am assured by the minions of Ernie that the numbers really are drawn at random, but mollify-

ing stock phrases are not consolation prizes.

My husband has a holding of £21 in single units bought with his pocket money over the years since he was a boy (he is now 47) and has never had so much at the lowest prize. Is this a record, I asked National Savings? Is there a prize for never winning? They did not answer that. But sent me the stock reply — "numbers are drawn out purely at random..."

I did however, note that one £25,000 winner came from Yorkshire with a holding of £15 — hurrah! Perhaps this is a token award to placate the millions of us with small amounts of bonds and therefore even smaller probabilities of winning. We shall see. Yours faithfully, CAROLE BERRY, 15 Corbett Gardens, Woodley, Berkshire.

Subsidies preferred

From Mr Patrick Fisher

Sir, It is a sign of hope that Pennington (Wednesday, May 3), puts the case for energy conservation, rather than cash-backs for consumers, as the most beneficial way of using any leeway in the finances of regional electricity utilities.

While subsidies for energy-efficient devices would benefit many consumers, considerable economies would also be

achieved under the Eastern Group scheme to subsidise cavity-wall insulation for consumers with electric storage heaters.

Unfortunately, this scheme has gone into summer recess; applies only to homeowners and private tenants over 60; and is little publicised. It needs extension and encouragement from every quarter.

Yours faithfully, PATRICK FISHER, 69 Meadow, Harpenden, Herts.

THE TIMES UNIT TRUST INFORMATION SERVICE

[illegible]

Equities mark time

TRADING PERIOD: Settlement takes place ten business days after the day of trade. Changes are calculated on the previous day's close, but adjustments are made when a stock is ex-dividend. Changes, yields and price/earnings ratios are based on middle prices.

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THEATRE 2



The royal house of Theseus becomes a hospital for the horribly diseased in a weak Romanian version of *Phaedra*

Around the world in a daze

Cathy Belton and Tom Murphy travel across Kansas in the Bickerstaffe company's production of *True Line*.

The qualities that make the play work so well, along with the fine and truthful performances, are the reflective, poetic nature of the writing and a production by John Crowley that makes dreamlike short cuts within and between scenes. A chair becomes a ticket booth, a single suitcase crosses the world; Gwynne McElveen's archaeologist becomes an aeroplane; angles shift and we are looking down upon the heads of characters, or up

The mood is comic at the same time as it is serious, the more serious for embracing the comic. The story developments delight us with their surprises, and the final tableau, bringing all four characters on to the stage, creates, in a sense broader than the obvious pun, a perfect dying fall.

Of artifice and heart

Kate Bassett on poor Romanian Greek tragedy in Brighton, and fine German Greek tragedy in London

ired costumeing concept), look ready for a funeral. They move slowly, as on the bottom of the sea or in outer space. Indeed the script, a rather unsatisfactory patchwork of Euripides and Seneca, is often accompanied by intergalactic electronics.

But Troezen is also still tribal. Aphrodite, a primitive earth mother, pads about with her long hair hiding her face, like an incognito Neanderthal. Hippolytus and his boys, washing off after the hunt, sport things and headbands. This back-to-basics business does not quite come off: Hippolytus (Angel Rababoo) receives the news of Phaedra's (Leni Pintea-Homeag) animal passion by snuffling like a raging bull — or was he just sneezing?

Ilie Gheorghe is a fine Theseus, staggering out of his clothing as he crumples into madness. However, the incantations are mangled, the

Choreography – stage director Purcell's recent direction of *The Tempest* in Portugal, reworking intriguingly parallel images of underwater after-worlds and madhouse mourning, proved him far more sophisticated and inspired than does this production. **Phaedra** tours, after the Brighton Festival, to London's Riverside Studios, Bristol and Leeds.

FOR a fine foreign staging of Greek tragedy, go to the Hansgünther Heyme's Antigone. This production – in German – superbly captures both the formal clarity and the emotional crunch of Sophocles's tragedy. Antigone, determined to bury her beloved brother against King Kreon's decree, speaks in a gentle, low voice. She sounds eerily assured, even as she shakes with fear. Marina Matthias's Antigone is at once

an orphan girl and powerfully grown-up; a pure martyr in a christening-cum-wedding dress, but with the dreadlocks of a wild child.

I could have done with the Peter Kaghanovitch, playing many roles, the authentic tradition of comedy cast Greek tragedy. He turns in a slightly campy Haimon and harmony Tiresias whose blindings apparently entails walking around with the hands-out weak bounce of Bill and Ben. Still, his watchman, escaping from unjust punishment for mitigating illegal execution of human rights, develops a sharp, vindictive streak in his domain: uncouth but venomous.

Ekkehard Schall is an outstanding Kreon, a short, fat, bullet-headed grey-beard who grows under threat into a fast-swiping dictator. He barks out his laws with the vehemence of a Fascist leader, although his terror dwarfs him like

baby. He starts out with the democratic benignity of a chief monk in his grey robes.

The five-strong chorus, kneeling in their patched gowns of red carpeting and turban-brimmed headgear, could be Kreon's quasi-religious followers. Their odes, sung in the style of an East European choir, are electrifyingly harsh and harmonious. Meanwhile, their visages, painted half-black, half-pale, invoke both court fools and skulls—a memento mori to which Kreon fails to pay heed.

Their two-facedness also reflects their spirit reactions concerning their king's antipathy to Antigone. However, herded together by him, they waddle stiffly like puppets, or infants, or obedient simpletons in an asylum. Kreon's tragic irony, in this acute reading, is that he himself finally breaks down in madness. With the deaths of his wife, son and once-future daughter-in-law on his shoulders, he buckles under the weight of grief and culpability. His final speech gives way to wordless grief as he turns on the spot like a lost child. The white cloth he clasps for comfort winds round his ankles, a marriage veil or swaddling transforming into a shroud.

police under British rule, taking over
memories of public and family

disappointment. Sebastian Barry's exceptionally moving play, directed by Max Stafford-Clark, for Out of Joint! Everyman, Hope Street (0151-709 4776) Tonight-Sat. Born (5)

Gillian Lynne have taken the lives and work of the sisters **Charlotte, Emily and Anne** as the inspiration for **Northern Ballet Theatre's The Brontës**. A good story, indeed perhaps too many good stories packed into one evening, but still worth a visit for fans of the family's talents.

New Victoria, Peacocks Arts Centre (01483- 761144) Tonight-Sat, 8pm, mats Thurs and Sat, 2.30pm (5)

LONDON GALLERIES

British Museum: Two Panels from the Ceiling of Henry III's Painted Chamber, Room 42 (0171-636 1555) ...

National Gallery: Gombritzh on Shadows, (0171-939 3321) ...

National Portrait Gallery: The Road from 1945 (0171-306 0055) ...

Royal Academy: Odion Redon (0171-493 7438) ...

Serpentine: Mark Wallinger (0171-275 6767) ...

New National Gallery: An Afternoon in a Valley space (0171-887 8000) ...

V&A: Picturing Plants: A History of Botanical Illustration (0171-936 8500) ...

Whitechapel: Guillermo Kutcia (0171-522 7888)

in David Hare's gripping, up-to-the-minute drama. Richard Eyre directs. **National**, (Cortasloe), South Bank, SE (0171-928 2252) Tonight-Sat, 7.30pm; mar Sat, 2.30pm.

■ A VIEW FROM THE BRIDGE
David Thacker's acclaimed production, with Bernard Hill superb as the NY longshoreman consumed by unspeakable love for his niece. Strand, Aldwych, WC2 (0171-930 8800). Tue-Sat, 7.45pm; mats Thurs, 2pm, Sat and Sun, 3pm.

LONG RUNNERS

☐ Arcadia: Haymarket (0171-830 8800) ☐ Buddy: Victoria Palace (0171-834 1317) ☒ Cats: New London (0171-405 0072) ... ☐ Crazy for You: Prince Edward (0171-734 8951) ☐ Don't Dress for Dinner

Duchess (0171-494 5070) . ☐ In
Praise of Love: Apollo (0171-494
5070) ☒ Indian Ink: Aldwych
(0171-416 6003) . ☒ Les
Misérables: Palace (0171-434 0809)
☐ Mama I Want to Sing: Cambridge
(0171-493 5080) ☐ My Night With
Joe: Cambridge (0171 820 1108)

■ **Oliver! Palladium** (0171-494 5020)
 ■ **A Passionate Woman: Comedy**
 (0171-369 1731) . . . ■ **She Loves Me**
 Savoy (0171-836 8888) . . . ■ **Starlight**
 Express: Apollo Victoria (0171-828
 8665) . . . ■ **Sunset Boulevard**
 Adelphi (0171-344 0055) . . . ■ **The**
Woman in Black. Fortune (0171-836
 2238)

Ticket information supplied by Society
 of London Theatre

Kensington (01426 914666) Leicester Square (01426 915683) Marble Arch

LITTLE ODESSA (15): Crime and punishment among Brooklyn's Russian immigrants. Ambitious and atmospheric, with Tim Roth, Maximilian

Schell and Vanessa Redgrave.
MGMA: Chelsea (0171-352 5098)
Haymarket (0171-839 1527)
Tottenham Court Road (0171-638
6148); Notting Hill Coronet (0171-
727 6705) Warner (0171-437 4343)

◆ THE MADNESS OF KING

GEORGE (PG) Nigel Hawthorne reigns supreme as Alan Bennett's tormented monarch. A fine film transfer by stage director Nicholas Hytner, with Helen Mirren and Ian Holm.

Curzon Phoenix (0171-369 1721)
MGMs: Haymarket (0171-839 1527)
Tottenham Court Road (0171-636

6148) Odeon Kensington (01428
914666) Phoenix (0181-883 2233)
Screen/Baker Street (0171-836 2772)
UCI Whiteleys (0171-792 3332)
Warner (0171-437 4343)

NOBODY'S FOOL (15): Endearing
slice of small-town Americans, with Pa-

Newman, Melanie Griffith, Bruce Willis and Jessica Tandy
Odeon Mezzanine (5) (01 426 915683)

◆ **OUTBREAK (18):** Taut virus thriller that is now timely but still turns silly. With Dustin Hoffman and Rene Russo and Morgan Freeman. Director, Wolfgang

Petersen.
Miles: Fulham Road (0171-370
 2636) Trocadero ☎ (0171-434 0031)
UCI Whiteleys ☎ (0171-792 3332)
Warner ☎ (0171-437 4343)

(Dimes 7 days, big fee)
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1. The first step is to identify the problem. This involves understanding the current situation and the goals that need to be achieved.

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BOOKS

Once upon a time, the Japanese novelist Kenzaburo Oe contemplated suicide. Instead, he won a Nobel Prize

LIBRARIES

Library Power Week aims to bring more children into their local libraries. But it isn't just books they are after

THE TIMES ARTS

OPERA 1

Who needs foreign stars to draw a crowd? Certainly not the Royal Danish Opera, as *Tannhäuser* proves

OPERA 2

Even cute little children dressed as fluffy animals can't detract from a superb production of *Noye's Fludde*

The father saved by his baby

The birth of his son turned Kenzaburo Oe from suicide, and eventually gave literature its latest Nobel laureate. Jason Cowley reports

When the Nobel laureate Kenzaburo Oe was in his early twenties he thought constantly about killing himself. Although already a successful novelist and with a beautiful young wife, he felt that his life was without purpose and that his work was sterile, meaningless and stylistically conventional. In those dismal postwar years, Japan itself was still struggling to come to terms with its calamitous defeat, and Oe's restlessness seemed somehow mimetic of a wider social and moral malaise. Certainly, the mood among the country's established writers — an extraordinary number of whom did, in fact, kill themselves — was one of debilitating melancholy. The mood was tinged with a nostalgia for the lost certainties of the past, a past in which the Emperor, the embodiment of an obstinately hierarchical society, was a quasi-divine figure unburdened by mortal concerns. Oe describes the day that he heard Emperor Hirohito announce Japan's unconditional surrender as one of the most bewildering of his life.

The time has come for Japan to apologise to the peoples of Asia

lesion of the skull through which brain tissue bulged. Oe is in Britain to lecture at the Brighton Festival and promote the first English translation of his early novel, *Nip the Buds, Shoot the Kids*. It was published shortly before Hikari's birth, a period about which he talks with a sense of shame. "When my son was born I didn't know what to do," he says. "Every day I went to the hospital expecting the doctor to tell me that, after a brave struggle for life, he had died. I looked at my son and was completely confused. I had lost all sense of identity." Oe was told that if Hikari was to live an operation was required to close the cerebral hernia. The consequence would be that he would be left profoundly handicapped. Unable to face up to the responsibility of the decision, Oe fled to Hiroshima, where he discussed Hikari's plight with a young doctor who had treated survivors of the atomic blast. It was the defining moment of his life: "I knew then that I had to accept responsibility, and help my son to live," Oe says.

"Since the defeat," wrote the novelist Yasunari Kawabata in 1947, "I have one back into the sadness that has always been with us in Japan." Drowning in his sadness, Kawabata went to produce a series of elegiac masterpieces, exquisite miniatures revolving around the themes of loss, the perishability of beauty and the irretrievability of the past. He died by his own hand in 1972. Another suicide was Osamu Dazai who in 1948, threw himself into a river shortly after publishing *The Setting Sun*, his marvellous study of an aristocratic family in decline. The much later, in 1970, Yukio Mishima spectacularly committed *seppuku* after failing in his preposterous attempt to lead a right-wing coup d'état. "Mishima's political, moral and aesthetic principles," Oe says, "grew out of his regret that the Emperor was not a deity but a human being." Oe says that he himself was saved from self-destruction when his son Hikari was born, in 1963, with a cerebral hernia, a

had treated survivors of the atomic blast. It was the defining moment of his life: "I knew then that I had to accept responsibility, and help my son to live," Oe says. The operation was a success, and Hikari still lives with his parents in Tokyo. He seldom speaks, suffers from fits and seizures and yet, remarkably, is a talented composer, whose first recording has won prizes. Oe has written about his relationship with Hikari, most memorably in *A Personal Matter*, in which a young teacher dreams of murdering his deformed baby boy. "There are only two honest alternatives to this fleeing from my own hands, or take responsibility for bringing him up," in the book, as in life, the speaker chose the second option. Oe's English is slow and hesitant but fabulously precise. His thick, silver-black hair stands up in alarmed tufts. He has a mournful face which intermittently folds into a brilliant smile. When he laughs — which is often — his huge ears curl and flap, like a bat's. He is charming, courteous and serene. But, for one who appears so still, he is remarkably full of anger. Born on



What next for Kenzaburo Oe? A new form of writing designed to rouse today's young from their apathy

the densely forested island of Shikoku in 1935, Oe has appealed many of his compatriots by saying that his Japanese identity is "something of only relative importance". Shortly after winning the Nobel Prize last year, he provoked further antipathy by declining the Order of Merit — an award bestowed by the Emperor — because it was undemocratic. "Even today the Emperor is at the centre of Japan, and I was reluctant to accept a medal from the head of a system of which I don't approve." His work, although not explicitly political, is dark, elliptical and austere. A keen student of European literature, Oe shuns the traditional limpid purity of Japanese prose,

preferring long, experimental sentences. His novels are quite unlike those of any other Japanese writer. He seems unusually attached to the obscure, the bizarre and the obscure. Even the accessible *Nip the Buds*, which describes the struggles of a group of reformatory boys who find themselves isolated in a plague-stricken village as war rages around them, owes more to Camus, Céline or Dostoevsky than, say, Kawabata. Oe feels that winning the Nobel Prize has provided him with a platform from which to condemn the inequities and absurdities of Japan's imperial legacy and what he calls the Emperor-system. "I think, if Japan is to become truly democratic, that the

time has come for the country to apologise to the peoples of Asia for the destruction he visited upon them in wars of aggression." When asked about the role of the writer in contemporary Japan, he sighs despondently. The young, he says, are not interested in literature or political engagement: their lives are ostentatiously empty. To this end, he plans to write no more fiction until he has evolved a new style, a new form — "an amalgam of the novel, poem and play" — which will also be accessible for children. "You have to catch them young if you want to create a new generation of readers." *Nip the Buds, Shoot the Kids* is published by Marion Boyars (£14.95)

OPERA: Sensational Wagner; lively Britten

Denmark's secret treasure house

Tannhäuser Royal Theatre, Copenhagen

"ONE of the best-kept secrets in Europe" is how Elaine Padmore describes the Royal Theatre, which houses opera, ballet and drama in Copenhagen. She means both the building itself, and the opera company of which she became director two years ago. It was one of the last repertory-ensemble companies in Western Europe, singing mainly in Danish. Part of Padmore's brief has been to enhance the company's reputation via original-language performances and a tactful injection of guest singers, balanced by the export of house artists too little known outside their native land. Their tour to London and Paris in August should form a vital part of this process. This new *Tannhäuser* proved one of the hottest tickets of the Copenhagen season. There was only one guest on stage, the fruity American mezzo Catherine Keen as Venus, and the fact that the rest of the cast was home-grown is fair indication of this company's vocal strength. Stig Fogh Andersen, who sang the title role, was simply sensational. He has a beautifully bronzed tenor voice, is intensely musical, and uttered not an ungainly or strident sound the whole evening. He is also young, handsome and a very fine actor, and will make his Covent Garden debut in *Mathis der Maler* next season.

Tina Kiberg was scarcely less impressive as Elisabeth. Again, the voice is sumptuous and she is a natural (and glamorous) creature of the stage; she was let down only by cloudy diction. Most of the remaining roles were more than capably sung by house artists. Dietfried Berner, whose *Pearl Fishers* in Leeds last month was so thrilling, has certainly earned his appointment as chief guest conductor in Copenhagen with this account of a notoriously tricky score. The Royal Danish Orchestra was on attentive form, and the chorus was superb. The production was by Francesca Zambello, currently in London for *Billy Budd* at Covent Garden. Strong narrative line, absence of fuss, purposeful personae — these seem to be as much Zambello's trademarks as her generally sunny optimism. This staging enjoyed an up-beat ending, with Tannhäuser and Elisabeth lying dead in cosy conjugal embrace while the chorus and a horde of children all dressed in white did "happy acting" in a blaze of light. Take that, Richard Wagner.

RODNEY MILNES

Torrent of praise

Noye's Fludde Freemasons' Hall

NORMALLY I am stonily impervious to the charms of cute little children dressed as fluffy animals and squeaking en masse. But the National Youth Music Theatre's production of Britten's *Noye's Fludde*, revived at the BOC Covent Garden Festival by Syd Ralph, is so splendid in its crowd effects, so smartly organised and well sung, that even the ranks of critics can scarce forbear to cheer. If *Noye's Fludde* were not such a superbly crafted score, Britten's treatment of the Chester Miracle Play would probably be insufferable. The women are characterised as untrustworthy soaks, God is deemed worthy of awe even after He has engaged in mass genocide to "purify" His creations (how Hitler would have approved!), and the rich interpretative possibility of the Flood myth is limited by the milky-mild Sunday-school tone. And yet, given a decent production and singing, such nonsense is simply rendered irrelevant. Britten's brilliantly naive score still has the power to lure us back into a world of childhood simplicities. And he would have loved this production, because it fulfils every hope that he had

for the work: the artistic quality is high, yet the community input is strong. Dozens of children and amateur musicians have been recruited from local schools and associations. They perform with immense vigour alongside such seasoned performers as Denis Quillay as the Voice of God (perched on a cloud somewhere above the massed ranks of orchestra), Stephen Varcoe as the stolid Noye and Mary King as the sozzled Mrs Noye. Ralph also gives Mrs Noye's Gossips a saucy, nubile-youthful twist, introduces a few thugs to rough up Noye at the beginning, and brings the flood to its climax with a magnificent swish of a gigantic rainbow curtain. But it is the quality of the singing from the NYMT troubles who play Noye's sons and their wives, and the alert orchestral playing led by Chetham's School pupils, that really carry the show. Peter Crookford is the unflappable conductor.

RICHARD MARISON

Hip teenagers are often to be found in the public library, Simon Tait says. And some of them even take a book out

Libraries – cool or what?

A year ago came the Carnegie Crunch. The hitherto genial and unexceptionable children's fiction prize — the Carnegie Medal — had previously been won by Arthur Ransome, Eric Linklater and Walter de la Mare — went to Robert Sinderell for *Stone Cold*, a book about homeless children abused by adults and forced to sleep rough in London, where they are stalked by a serial killer.

"We are voting to take away children's innocence," said a draught Mary Elliott, one of the librarians who judged the competition. She said she did not know how she was going to break it to her colleagues back in East Anglia and added: "We are making children the victims. We're not giving them permission to escape from some of the disturbing realities of life before they are ready for them, and we're trapping them in their misery." Judging for the 1994 Carnegie Medal is about to start, and Elliott's misery is likely to be relieved. The dominating motif on this year's shortlist is again teenage murder, needless, abandonment and bereavement. But this week is Library Power Week, the Library Association's latest attempt to attract more children into our public libraries. It began yesterday with a rally at the House of Commons, and continues through the week. As with all such campaigns, the air around it is stiff with statistics, and more will come soon, with the Government's National Libraries Review. Another Carnegie judge last year complained that there seemed to be a disproportionate amount of teenage fiction



Madonna lookalike Sara Lee espouses the joy of reading to the children of Hull

in this children's book competition, but the review is expected to confirm the surprising discovery that by far the biggest library user group comprises 16 and 17-year-olds. They are using libraries an average of 20 times a year. Another survey, in Birmingham, found that nearly 25 per cent of 16 to 18-year-olds go more than once a week. This is nothing new. Librarians have been targeting teenagers for a decade or so, since the Glasgow overflow town of Johnstone established the Johnstone Information and Leisure Library (JILL), also

known as the Teenagers' Library, to give the 80 per cent unemployed among them somewhere to go. Bradford Central Library has set up a separate room for teenagers. The heaviest users are Asian boys, but more girls are going "now they've found out where the lads hang out", according to the library's report. Cheshire libraries have increased teenage borrowings by 50 per cent since they recruited a group of 12 to 18-year-olds from Runcorn to write, perform and produce a provocative video called *Murphy Say Something*, which

tours schools. In Glasgow the Youth Library is known as the Club, sounds like a disco and looks like a Virgin Mega Café, and is exclusively for 12 to 25-year-olds. In Hertfordshire two mobile teenagers' libraries tour outlying districts. "What we want to do with Library Power is to bring young people to books," says Ross Shrimmon, chief executive of the Library Association. "Young people generally have a poor image of libraries." Evidently not poor enough to put them off going in, but what are teenagers using libraries for? Not, it seems, mainly to borrow books.

Humbly, which marked the beginning of Library Power Week with a Madonna lookalike competition in an attempt to grab the interest of teenagers, has come to terms with teenagers' principal concerns and has installed a viewpoint information centre — to give youngsters information on everything from how to get a student grant to which nightclub to visit. Johnstone's membership — 4,000 when it was set up — has dwindled to 1,200 with the fall in unemployment. In 1993 a quarter of the items borrowed were books; the rest were predominantly computer games and music albums. In 1994, though, books showed they were making a comeback: they accounted for a third of the issued items, and membership is rising again. What they want in their books, says Christine Story of JILL, is non-fiction. "If there was a new biography of a Celtic footballer, I'd have queues round the block and I wouldn't be able to give away a Terry Pratchett," she says. They want books about computers, crime, films and television, and there is a demand developing for sheet music. Trish Botten, head of children's services in West Sussex, did her own survey in Lancing public library. She found teenagers use it for studying more than anything else. "The best things in the library, they said, were study space first, then music resources, literature, a helpful librarian, computers and magazines. The best

books, they said, were adult fiction — authors like Stephen King." She found that the most popular children's fiction book is Judy Blume's *For Ever*, a tale of first sex. But they are using the reference library more and more, simply for information — first on careers, then on sex and relationships, then on Aids and drug abuse, then on health. In the library they use the photocopier most, then the study facilities, then reference books. A growing number of libraries are also offering video cassettes. Those that do not are generally following local authority policy rather than the librarians'. The National Libraries Review is expected to suggest "hyper-libraries" which offer a much wider range of facilities likely to appeal more to — although not specifically for — teenagers, so that a video section is likely to become commonplace. "Why not?" Botten says. "They're under such pressure of school work that you can't blame them for wanting to relax in front of a video." Mel Gibson, a Northumberland librarian, thinks libraries should also give a home to garish and often explicit graphic novels, such as Judge Dredd. "They are hugely contentious, largely because of worries about sex and violence, but they have an extraordinary pull with teenage boys. We've got to take account of that." But that, for Botten, is where the line should be drawn. "Libraries do have to have a sense of responsibility about what they put in front of teenagers," she says. "We won't be having graphic novels."

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UNIVERSITY GUIDE

...this term, next term, long term **BARCLAYS**

The Oxbridge lottery

James Mackintosh reports on what to look for when making your choice of college at Cambridge or Oxford

The *Brideshead Revisited* image of Oxford and Cambridge has been brought up to date this month with a flood of newspaper stories about the daughter of an RAF officer leaping naked off Magdalen Bridge in Oxford to celebrate May Day, and subsequently posing for Page Three of *The Sun*.

But the media image of Oxford and Cambridge is only half right. While there are undergraduates staggering from champagne receptions to exclusive parties dressed in penguin suits, most students are hard-working high-achievers.

Still, only half those admitted to Cambridge come from state schools, while Oxford lags slightly behind that at 43 per cent.

Both universities are collegiate, and each of the colleges has a very different character, so the choice of college can be as crucial as the choice of university elsewhere. Each college controls its own admissions procedures, provides housing and food for its students and, for most undergraduates, is the centre of their social life. Colleges must be assessed for a wide variety of factors: academic success, sporting prowess and the social scene. How (relatively) easy it is to get in is also important to most applicants, and tables listing numbers of applicants for each place are contained in the prospectuses.

Cambridge has kept three women-only colleges — New Hall, Newnham and Lucy Cavendish — while Oxford has only one remaining — St Hilda's. Neither university has any male-only colleges, although most colleges are heavily male-dominated. At both Oxford and Cambridge teaching is mostly

centralised for the sciences after the first year, and college involvement at Cambridge is minimal because college-provided supervisors are much less important than university-provided teaching. Oxford's tutorials, given by college tutors, continue to dominate the undergraduate academic life.

The most academically successful colleges are also the oldest and richest: Merton, St John's and Magdalen came top of Oxford's academic league table last year, with 10 per cent of Merton students getting a first, double Oxford's average. At Cambridge, St John's, King's and Queens', three of the oldest colleges, have consistently good results and are considered to have an "academic" atmosphere.

Critics of league tables claim that these colleges top the league only because of their fantastic architecture and rich histories, they attract the best applicants. Whether or not this is a good argument, it is important to check which subjects a college specialises in — for example, Cambridge's Gonville and Caius is well known for its medi-

cine while Oxford's Balliol has a good reputation for PPE.

"Sporty" colleges vary widely, although there are some that consistently perform well. Oxford, Oxford, and Trinity and Downing, both Cambridge, are best known for their rowing, while top of the football league last term were Jesus College, Oxford, and Fitzwilliam, Cambridge. By far the best rugby team of any college at either university is at Keble, Oxford, but Cambridge's Downing is also considered to be in the running.

Crickets at Cambridge is still dominated by Trinity, the Alma Mater of England's John Crawley, while Oxford is in the odd position of having five members of the Blues team based at Keble, while Brasenose leads the inter-college league.

Both city centres are dominated by the stunning college architecture. Magdalen College provided the Oxford base for the filming of *Shadows* and Christ Church in Oxford will be familiar to every viewer of *Inspector Morse*, but Cambridge's King's College, with its famous chapel, and Trinity

College have the same medieval splendour.

Oxford's St Catherine's, built from concrete and glass in 1963, is the city's only Grade I listed building, and inspires strong passions in those living there — everyone else seems to hate it. Cambridge's postwar buildings seem to be universally detested by the students, from the 1960 disaster of Churchill College to Cambridge's newest college, Robinson, founded only in 1979. Students living in modern blocks often mention the benefits of central heating.

Emmanuel, Cambridge, has the oldest outdoor swimming pool in Britain and attracts students who want to spend their summer evenings drinking cocktails by the pool. The sporty colleges tend to be dominated by "boaters" and "rugger buggers", making Friday evenings in the bar at Downing, Magdalen and Oxford's Oriel fairly boisterous.

As with all generalisations, these should be taken with a pinch of salt, but in a college where there are only a few hundred other students it is important to find soulmates. To make sure you are not making a horrible mistake, go to an open day and talk to students who are at the college. If you cannot make it to an open day, get the students' views by reading the alternative prospectus.

The last factor to consider, depressing though it is, must be money. Almost all Cambridge colleges provide housing for all their undergraduates, while few Oxford colleges do — although new buildings are springing up all the time.



Oxford offers academic excellence, stunning architecture and sporting prowess — but which college?

Change in the offing

THE ancient traditions and all-round excellence of Oxford and Cambridge have attracted the best minds of each generation for hundreds of years. But even these temples of learning are not immune to change.

Oxford, in particular, is on the brink of far-reaching decisions. Dr Peter North, the Vice-Chancellor, is chairing a commission of inquiry that is re-examining fundamental relationships between the colleges and the university, and the dons and the students. Not since Lord Franks reported 30 years ago has there been such expectation of reform.

The pressure for change has been building up on a number of fronts. Already this year, two new colleges have been admitted, a new promotions system adopted for dons, and

Oxford is taking a fresh look at the way it works

rent increases of up to 30 per cent imposed in a number of colleges. Some college junior common rooms have embarked on rent strikes.

But — this — real — upheaval, aimed at keeping Oxford among the world's leading universities at a time when some have seen its status under threat, is yet to come. Even such sacred cows as the college system and individual tutorials are under review, although it will be surprising if either is jettisoned.

The "framework document" which launched the public

phase of the inquiry at the start of the year made it clear that the university meant business. On Oxford's unusually open system of government, for example, it said: "Proposals for change must not lose sight of the best features of the current participative system, but radical steps may nonetheless need to be taken."

Among the most controversial possibilities raised is the levying of "additional" fees to meet the looming funding gap appearing in many colleges. So far, both Oxford and Cambridge have resisted the temptation to charge students for tuition, because neither wants to place further obstacles in the way of less affluent students.

JOHN O'LEARY

How to get a place

GETTING into Oxford or Cambridge is never easy, but your chances of success do vary considerably according to the subject you choose. It is worth taking a close look at the admissions statistics before making your application, John O'Leary writes.

Both universities have far fewer applicants than one might expect, because so many sixth-formers assume they have no chance of success. Last year was typical, with applicants' chances better than one in four.

In a few subjects, however, the chances were very much better than that. Seven out of ten students applying to read classics got into Oxford, for example, and more than six out of ten did the same at Cambridge. Only metallurgy and earth sciences at Oxford had a higher success rate.

Obviously, it is too late to try for theology once you have embarked on science. A levels but some variations are worth bearing in mind. Mathematicians, for example, stand less chance of winning a place, especially at Cambridge, if they combine their subject with computer studies than if they take single honours.

The statistics show that the level of competition for places in most subjects is similar at both universities, but there are exceptions. Last year in Oriental Studies, for instance, almost half the applicants were accepted at Oxford, compared with a third at Cambridge.

In most subjects, the ratio of applicants to places changes little from year to year. A small field of candidates does not necessarily mean a low offer; competition is fierce in all subjects. But when every grade counts, the differences are worth taking into account.

Number of Applications and Acceptances by Faculty			
	Applications	Acceptances	% Places to Applications
Arts	1563	193	12.4
Archaeology and Anthropology	57	19	33.3
Classics	191	194	100.0
Classics and English	13	7	53.8
Classics and Modern Languages	20	13	65.0
Economics and Management	288	22	7.6
English and Modern Languages	988	288	29.2
Fine Art	88	34	38.6
Geography	168	29	17.2
Law	290	109	37.6
Law with Law Studies in Europe	845	296	35.0
Mathematics and Philosophy	222	20	9.0
Modern History	68	22	32.4
Modern History and Economics	78	27	34.6
Modern History and English	33	10	30.3
Modern History and Modern Languages	80	15	18.7
Modern Languages	71	10	14.1
Music	437	208	47.6
Oriental Studies	110	54	48.1
Philosophy and Modern Languages	87	20	23.0
Philosophy and Theology	53	20	37.7
Physics and Philosophy	71	27	38.0
Physics and Theology	30	19	63.3
PPE	912	229	25.1
Theology	88	44	50.0
Sciences	127	86	67.7
Biochemistry	191	87	45.6
Biological Sciences	282	185	65.6
Chemistry	13	13	100.0
Computer Science	45	35	77.8
Earth Sciences (Geology)	324	24	7.4
Engineering Science	60	25	41.7
Engineering and Computer Science	109	28	25.7
Engineering and Economics and Management	13	8	61.5
Engineering and Materials	145	53	36.5
Experimental Psychology	102	37	36.3
Human Sciences	451	20	4.4
Mathematics	73	34	46.6
Mathematics and Computer Science	638	97	15.3
Medicine	34	27	79.4
Medicine and MPM	454	189	41.6
Physics	36	19	52.8
Physiological Sciences	152	42	27.6
PPE	912	229	25.1
TOTAL	9,380	3,276	34.9

1994 Men and Women Number and percentage of applications and acceptances by subject			
	Applications	Acceptances	% places to applications
Arts	45	19	42.2
Archaeology and Anthropology	142	38	26.7
Classics	226	38	16.8
Classics and English	118	78	66.1
Classics and Modern Languages	775	32	4.1
English	226	32	14.2
Geography	567	187	32.9
History	648	207	31.9
Modern and Medieval Languages	172	51	29.6
Music	102	34	33.3
Oriental Studies	148	37	24.9
Philosophy	82	32	39.0
Theology and Religious Studies			
Social Sciences	718	171	23.8
Economics	17	26	152.9
Land Economy	1,020	213	20.9
Law	381	98	25.7
Social and Political Sciences			
Science and Technology	217	63	29.0
Computer Science	500	224	44.8
Mathematics	97	29	29.5
Mathematics with Computer Science	1,285	284	22.1
Natural Sciences	1,037	318	30.7
Engineering	1,027	256	24.9
Medical Sciences	444	80	18.0
Veterinary Medicine			
TOTAL	10,300	3,085	30.0

The Tripos courses at Cambridge in Chemical Engineering, Education, Electrical and Information Sciences, History of Art, Management Studies, and Manufacturing Engineering can only be taken after a Part of another Tripos. The entries for these courses are recorded in the Table under the first-year subjects taken by the students involved.

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LAW

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Frances Gibb meets Eileen Pembridge, Law Society presidential candidate

A feminist fights her corner

Eileen Pembridge has no regrets over her role in precipitating the furor at the Law Society in the past few weeks. The revelation about sexual harassment within the society's higher echelons was "an accident waiting to happen", she says. But the episode has become inextricably linked with Ms Pembridge's own stand to become first woman president of the solicitor profession. Within days of her accusing the society of lack of action over sexual harassment, the man involved, John Young, deputy president, was forced to withdraw from the presidential elections.

Ms Pembridge, 51, found herself denounced by another rival, Martin Mears, for washing the society's dirty linen in public. She received angry letters, and feels the issue was sidetracked by the society's description of the incidents as "minor and arguably inappropriate".

Subsequent events have, she believes, vindicated her: the society has set in train a review of sexual harassment procedures; and Ms Pembridge has had many women come forward to tell their own stories. "I still think I was absolutely right," she says. "Of course, the way in which it came out was unfortunate for all concerned, especially for John Young (who does not hold her responsible). It was something I had to make a stand about — the fact that this was known within the society for years."

She is strongly critical that society members took the view that Mr Young, despite a warning two years before, could still be president. "I have been struck by the number of people who knew about this problem but thought it was their turn. That became more important than the good of the profession. If you get too close to an organisation, you lose sight of what is right for it. Friendships get in the way. It has been hurtful to get the sticks and bricks, but it seemed to me important to challenge John Young."

It is typical of the moral strength for which Ms Pembridge is known. An ardent feminist, she feels the time is ripe for a woman in the driving seat. After five years on the council as one of only

eight women members, she says she knows how the machine works but does not carry the "baggage" of needing to toe the line and to keep in with the "inner coterie". "I believe I have the good of the profession at heart, and I have been here long enough not to be taken advantage of."

A few council diehards have found Ms Pembridge hard to take. There was wide opposition to her wish to have a designated seat for women solicitors. But she has won admiration for her dealings on legal aid and family law, and for her approach, which usually involves humour. "The council is very male-dominated; I am constantly taken aback that they think this is normal. I say: 'Wait until we have 30 per cent women or more. Things will have to be done differently.'"

Women predominate in her own south London law firm — not, she insists, from any positive discrimination. She founded the firm, Fisher Meredith in Stockwell, 20 years ago this year, and it now has a total staff of 65, including 37 fee-earners and six partners, with large family and crime departments. Ms Pembridge is both senior partner and head of family law. The firm's work is 85 per cent legal aid and has a turnover of £2.2 million. But profit margins, she says, are tight (5 per cent compared with 15 per cent in some City law firms). "We live on a knife-edge," she says. She inspires huge staff loyalty by her energy and enthusiasm. Solicitors who find themselves on the other side in an action are more circumspect. "She can be very difficult," one said.

Her toughness stems in part from her childhood. Her mother died when she was at junior school and she and her older sister had to be self-sufficient. "You soon found out that if you left the dishes on the table, they would still be there in the morning." Her father was a railwayman (in administration). She went to Worcester Girls' Grammar School and Newnham College, Cambridge, reading natural sciences.

She is, in her own words, a "polymath" who could have worked in a City firm, as well as in legal aid: she gained a



Eileen Pembridge with daughter Alice: "The society council is very male-dominated"

postgraduate diploma in languages (Russian and French). Her early career was as an interpreter-translator for United Nations agencies in different countries. Then work with Release, the charity, drew her towards law. "I was sending all these papers to solicitors and thought: I could do this." She qualified late, aged 31 ("I did Part One in three months"), and became articled at Simons Muirhead & Burton, in London. The year she was admitted, 1975, she founded Fisher Meredith with the solicitor Michael Fisher.

She lives in Dulwich, with her seven-year old daughter, Alice, and husband Andrew Thomas, a solicitor. Hobbies include tending vegetables — she is a vegetarian — and her cats. "I enjoy doing things with Alice... dinghy sailing, ice-skating," she says. "We also go to our little cottage (no running water, no electricity) in the New Forest at weekends, where we live by candlelight

and wash in the river." Ms Pembridge's stance for women is a strong card, but one also used against her. She is at pains to dispel the "lefty PC" label attached by Mr Mears, saying: "I am for women — but I am not particularly politically correct and I am a fairly inactive member of the Labour Party."

Law Society members saw her in a new light when she appeared at a recent society party clad in Sixties leather mini and silver boots.

Her manifesto is aimed at "rebuilding the profession's trust" in the society. She says she is avoiding "vote-catching" promises but accepts that society bureaucracy must be looked at, as must improving representation on council, insurance costs, the complaints system and the problems of conveyancers. She favours separate representation for buyers

and lenders. On complaints, one idea is a fee for complainants, refundable if upheld. But she says solicitors cannot put all the blame for their troubles at the society's door. "They have to do their bit, too — there won't be any ice-cream."

She dismisses her rivals in typically forthright manner as the "slash and burn" candidate (Mr Mears), who is appealing "in a repugnant way to the rabble-rousing element because people are hard-pressed", and Henry Hodge as the "establishment candidate" who is "probably the right man in the wrong place at the wrong time."

She adds: "I really believe I offer the best chance of a fresh view. I am not concerned with politics — more with fairness, trying to be true to myself. The path to the top is never smooth — you have to rock the boat and make a song and dance and say to others: 'The time has come to move over.'"

Drug abuse: ray of hope from Holland

The Dutch have taken an imaginative step forward

To talk about legalising drugs or decriminalising the use of them is to enter an arena fraught with problems. Yet the huge rise in the use of drugs among the young is forcing a new debate. The recently published *Social Trends* shows that seizures of cocaine rose from 21 kg in 1981 to 708 kg in 1993. Heroin seizures rose from 93 kg in 1981 to 655 kg in 1993. And as for cannabis, 60,000 kg were seized in 1993, a fifth up on the year before. And now the maximum fine for possession of this class B drug has gone up from £500 to £2,500, showing the Government's determination to fight drugs in the usual way.

Yet the White Paper last week has more to do with education than crime, even if there is no suggestion of decriminalising banned drugs. Instead, it is intended to launch an information and education campaign for young people which already includes a national helpline to provide support and advice on drug misuse. £8.8 million is expected to be given to support 100 new local drug action teams to co-ordinate activities on the ground. Almost £6 million will be spent on drug education in schools.

All this effort will be a step in the right direction but is unlikely to do anything but slow the rise in the use of drugs by the young. And there is still a considerable minority of people anxious to deal with drugs through some form of decriminalisation. The British Juvenile and Family Courts Society had the courage to confront the problem at a recent conference entitled *The Drugs Dilemma — The Challenge of Decriminalisation*.

As in the rest of Europe, its conclusion showed only that no one is agreed on the best way to tackle the increasing use of drugs, which can lead, as the Chief Constable of West Yorkshire put it, "to pain, heartache, crime and violence". Keith Hellawell believes that deterrence can work but also sees the illogicality of taking people to court for possession, yet treating addicts on the health service. He sees the need to develop information and data on why children are getting involved and suggests a network of treatment and guidance centres. Drug action teams perhaps?

Another speaker could hardly have had a more opposing view. Michael Goodman is the director of Release, a charity set up in 1967 as a legal and emergency drugs service. He believes that the legalisation of drugs is inevitable in the foreseeable future and has called for a royal commission to be set up.

He rather spoils his case by claiming that the only reason for taking drugs was enjoyment but pointed out sensibly that legalisation need not mean proselytising for drug use. "Organised crime could be defeated," he said. "There could be protection for consumers and taxation could be brought in to help in the fight against addiction." He added, to somewhat nervous laughter, that "last year more people died from hill-walking in Scotland than from the use of drugs."

This is not a fair analogy but many of us recalled the failure of alcohol prohibition in America. If you cannot put a stop to a bad habit maybe it is better to try to control it. Unfortunately, this doesn't seem to be working well. The Dutch experience has shown that allowing the use of cannabis in hash cafes has been anything but a success. Paul van Teeffelen, a judge in the Dutch Court of Appeal, entitled his talk "The Dutch Solution or The Dutch Disease?" Since the mid-1970s, the Dutch policy has been based on trying to re-

strain demand and supply rather than waging all-out war on drugs. The use of hard drugs is seen as a health problem while dealing is strictly forbidden.

A different attitude has been taken with cannabis. In the mid-1980s, retail sale of the drug was allowed and people permitted to possess 30 grams for their own use. This has led to a huge growth in the hash cafes. During the past ten years, their number has risen to more than 1,500.

What seemed a sensible idea at the time has resulted in a great increase of use among the young and — what is worse — greater difficulty in controlling the sale of hard drugs. Mr van Teeffelen calls the decriminalisation of cannabis the lesser of two evils, yet admits that such an ambiguous policy has led to the dark situation where usage is fine but supplies to the coffee shops illegal. "The effect of this policy is that selling at the front door is legal but buying supplies is not. When the coffee shop owner has to buy his stock he is forced into illegal transactions with a criminal organisation at his back door."

The situation in Holland is not totally gloomy, however, because the Dutch have taken an imaginative step in relation to drug-related crime. Those arrested have to choose between a prison cell or treatment in a clinic. "Only those addicts likely to receive a minimum four months' sentence are arrested, so that the alternative of a stay in a clinic is attractive."

During the panel discussions at the conference, it became clear that the decriminalisation of a soft drug such as cannabis is not likely to work, as Holland's experience has shown. Organised crime will still be in charge of supplies. Why not legalise them? Most magistrates attending the conference were distinctly dubious about this but recognised that there are no easy answers. Dr Judy Greenwood, a psychiatrist

from Edinburgh who is involved in a Community Drug Problem Service, reminded us just how complicated is the whole problem of drugs. "The Misuse of Drugs Act 1971 has not worked in Scotland," she said. "Prohibition has pushed the supply of drugs and increased crime." For eight years she and her colleagues have arranged for heroin addicts to be given methadone at the same time as advice. "The Lethian crime figures are going down," she added.

In her experience, most addicts do not want to come off their drugs and detoxification programmes are not very successful. "In order to succeed, you have to work with addicts and treat them as people rather than criminals." Yet if they happen to be both a solution seems impossible. Being locked up in prison won't prevent them from getting drugs if the current situation in the prisons is allowed to continue. Clinics along the Dutch line could be one answer. What came most clearly out of the conference, however, was that helping addicts to come off drugs can work only if they so wish it.

Preventing the young from taking up such habits is an issue for parents and society as a whole. Repressive legislation does not seem to work and, as in the United States, seems to create the biggest problems. And it was there that the prohibition of alcohol proved such a disaster. As to the drugs dilemma today and what to do about it, one is tempted to say: "God only knows."

● The author is a magistrate who sits in a youth court.



PAULA DAVIES

Playing the game

THE Rugby Football Union debacle highlights the ability of a bunch of old lawyers to stick together. Two of the five council members who backed the retired solicitor Dennis Eastby's decision to sack the England captain Will Carling were solicitors.

Peter Bromage, a partner with Eversheds in Birmingham, qualified in 1958, and John Richardson, a partner with Richardson & Davies of Coventry, qualified in 1955.

The RFU's legal advisers, Edwin & Co, would not comment on whether they had been asked to give any employment law advice.

Musical lore

LOOKING for a certain "class" of client? Take a leaf out of the Sussex firm Donne Milham & Haddock's book and attract them with a bit of culture. A recent advertising campaign by the firm asked:

"What three problems were shared by composers Mozart, Wagner and Jean-Baptiste Lully?"

Why, they all had legal problems, of course. Mozart fell out with his boss the Archbishop of Salzburg, Wagner had marital problems and Lully died of blood poisoning while at work. Presumably, only lawyers who listen to classical music are expected to apply to the firm.

● BINDMAN & Partners celebrated its 21st birthday last week. The pioneering civil rights law firm has a near-unrivaled reputation in legal aid, family, civil rights and judicial review. The only regret of Geoffrey Bindman, the founding partner, is that legal aid fees are such that the firm is increasingly forced to subsidise the legal aid jobs — its core commitment — with other assignments.

A degree less

AS LAW students across the country start their final exams, there is hope for those who decided that getting a rounded view of life was more important than sweating over law reports into the small hours. A survey in *The Lawyer* highlights the fact that, of the 30 largest firms, there are still four that will interview candidates with less than a 2:1 degree. The egalitarian firms are Ashurst Morris Crisp, Dibb Lupton & Broomhead, Hammond Suddards and Herbert Smith.

Too many trials

HOME Office officials said to be looking at the American "three strikes and you're out" law would do well to look again at what has happened in the year since its introduction. In California, the criminal system is in crisis as

defendants faced with the mandatory 25 years to life for a third offence take their chances with jury trial rather than plea-bargaining. In Los Angeles, clearing the backlog of trials will cost an extra \$78 million.

Whistlestop

THE solicitor Robin Ellison, pensions consultant at Hammond Suddards, claims that the whistleblowing provisions in the Pensions Bill may make the proposed pensions regulator's job impossible.

He argues for giving advisers a right, rather than a duty, to inform the occupational pensions regulatory authority of their concerns because imposing a duty will encourage advisers to report a mass of minor difficulties, thereby obscuring genuine problems. The whistleblowing provisions have the full support of the Department of Social Security which, contrary to Mr Ellison, believes them to be in everyone's interests.

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A Bill to deal with miscarriages of justice has won praise, but Ailsa Thomson sees problems

Who polices the police?

There was much cross-party support for the Criminal Appeal Bill in its passage through the Commons and in particular for the proposal to create the Criminal Cases Review Commission (CCRC) to replace the Home Office as the reviewer of alleged miscarriages of justice.

This week it goes to the Lords. The areas of dispute seem minimal but are of crucial importance if the new body is to justify the expense of its creation by significantly improving the quality of the review. The chief issues are the independence of any re-investigation into police inquiries and the extent to which the CCRC will disclose to unsuccessful applicants evidence on which they have been refused.

New criminal cases continue to show the importance of independent, open re-investigations. One of the most recent is that of Brian Parsons, subject of Channel 4's *Trial and Error* programme in April. Parsons was convicted in 1986 of the murder of Ivy Batten, chiefly on evidence that fibres indistinguishable from those of the murderer's gloves had been found in his car's glove compartment and in the pocket of a coat he had been wearing.

After appeal, his solicitors were passed information that suggested that the murder had in fact been committed by two other men.

In 1992, the Home Office asked the Devon and Cornwall Constabulary to reinvestigate its own case against



Brian Parsons was convicted of murder, but why was his defence not shown all the evidence?

Parsons. Further investigation by Westcountry Television and *Trial and Error* has revealed potential areas of undisclosed evidence from the original trial: it seems that police discovered vomit from an intruder at the scene of the attack and, near by, two concealed hold-alls. Both of these items could have contained clues as to the perpetrator. Neither was used by the prosecution as implicating Parsons, and neither was made available for investigation by the defence. And the present investigations on behalf of Parsons by Dr Angela Gallop,

a respected forensic scientist, have been in her view significantly hampered by the Devon and Cornwall Constabulary. It took 18 months (and 33 letters) before the defence was allowed access to exhibits. Devon and Cornwall police dispute this version of events. A petition to the Home Secretary has now been prepared and submitted.

Whatever the truth, public confidence cannot be bolstered by having the same police force investigate the integrity of its original investigation. The report of the Devon and Cornwall police has apparently

now been submitted to the Home Office. Mr Parsons's solicitors have sought its disclosure, which is in principle required under the judgment of Simon-Brown J. in *ex parte Hickey and others*.

However, under the terms of the present Bill, no equivalent duty of disclosure is imposed on the CCRC; indeed, quite the reverse. The Bill sets out a general duty of confidentiality, qualified by exemptions which are unclearly stated. Thus, the CCRC will be under no duty at all to disclose police reports to applicants. At committee stage in

the Commons, the minister said the CCRC would give disclosure on a case by case basis, balancing disclosure against the need for confidentiality.

Nor has the CCRC the power to appoint its own independent investigators, instead of using police officers, in cases of particular sensitivity or concern. An all-party amendment to provide such a power was narrowly defeated in the Commons. Though amendments were accepted to strengthen the CCRC's supervisory duties, it will still be for the chief constable of the force under investigation to appoint an investigating officer, from his own or another force, subject only to CCRC veto or dismissal.

This could lead to a long process of negotiation, or attrition, without the CCRC having any power to impose a solution. There is no presumption against police forces reinvestigating their own cases.

Now the Bill goes to the Lords. After 35 years of investigating alleged miscarriages, Justice, the human rights organisation, continues to believe that the CCRC must be independent and proactive in its investigation methods, and open in decision-making. The commission must be seen to be open and accountable if there is to be the degree of transparency needed to restore public confidence in the reinvestigation of miscarriages of justice.

The author is legal officer at Justice.



Two QCs, Peter Goldsmith, Bar chairman, left, and Michael Beloff, outline Bar proposals for a fairer entry system



How to attract the best to the Bar

A wide-ranging agenda for self-reform designed to create a dynamically structured profession for the 21st century is in the process of implementation by the Bar Council. That process has included proposals for a new complaints system to tackle poor professional standards and moves to broaden access to the Bar Vocational Course through a scheme to allow other institutions across the country to teach it.

But it is vital for the profession, its entrants and the public to create a system of entry that is both fair and rational. Later this week, therefore, we are to publish our proposals for a pupilage-applications clearing house (Pach) scheme, which would reflect the Ucas scheme offered to 400,000 university applicants each year.

The proposals have been developed by a steering group led by Michael Beloff QC, and established as one of the first acts of the Bar Council chairman's 1995 programme. The plans build on the two disparate joint working arrangements already in place for the 1,100 students each year chasing between 700 and 800 pupilages—the trainee places in chambers.

Our analysis of that, the work of Ucas, and other proposals, leads us to favour the setting-up of a universal but voluntary clearing-house scheme for pupilage applications, to run from 1996. It would feature one application form, on which prospective pupils could specify a limited number of chambers to which they wished to apply. Candidates would also have to state their preferred sphere of the

law—for example, general, criminal or specialist commercial. A unified timetable for applications, interviews and offers of places would apply, with first-round selection followed by a pool for unsuccessful first-round candidates. Interviewing and selection criteria would remain a matter for participating chambers. We believe that the introduction of a single, standardised form would ease selection and would be good equal opportunities practice. Forms would be designed so that applicants' names could be detached, if chambers wished, before sub-

Bar Council's equality code for chambers, as well as codes of practice issued by the Equal Opportunities Commission and the Commission for Racial Equality, which call for the use of consistent criteria in selection and training procedures to prevent unlawful discrimination.

Recent concerns about sex harassment and discrimination make the Bar Council's consultation on the Pach scheme timely: we are especially keen that those with any additional proposals for building genuine equality of opportunity and fair treatment for all pupilage applicants to the Pach scheme from its inception bring forward their ideas now so we can best use them.

At present we think chambers might have to contribute about £100 to join the scheme, and applicants would pay £10 to enter. But we are confident that the scheme would bring savings, too: applicants would have to devote less expense and time on multiple application forms to different sets of chambers. Chambers, meanwhile, would receive a lesser number of better focused applications from more suitable candidates. They will also face a once-only interview and selection round. A pool system would fill any vacancies that remained.

The Pach consultation paper is being circulated widely, and we want everyone with a stake in this debate—all chambers and potential applicants, especially women and ethnic minority—to make their voices heard now. The independent Bar will remain strong through attracting the best and most able candidates.

A HIGH Court judge has said British judges are becoming as powerful under the constitution as Parliament, *Frances Gibb writes*. In the *London Review of Books*, Mr Justice Sedley writes that by 2,000, they will play an even bigger role than now in restraining governmental powers as they assert their scrutiny of government in a way that rivals the supreme sovereignty of Parliament.

He cites the recent ruling against the Home Secretary in a contempt of court case, brought by a Zairean asylum-seeker, as well as the High

Judges play growing role in restraining government

Court ruling against the Government over the Pergau dam in which Douglas Hurd, the Foreign Secretary, was found to have acted illegally. Mr Justice Sedley says a new constitutional framework is developing to replace the notion that Parliament is supreme.

Instead, he says, a dual sovereignty is emerging, "where the Crown's

ministers must answer politically to Parliament and legally to the courts". Mr Justice Sedley, a highly respected judge with left-of-centre opinions, sets out his views against a growth in the use of judicial review (JR), the legal procedure by which judges scrutinise government decisions. JR challenges this year have reached almost 3,000 (compared with 525 in

1980). David Hogg, the Deputy Treasury Solicitor, told a Law Society conference last autumn that in 1993 his department handled 750 JR challenges, 500 of which were in the immigration field.

Customs and Excise, Inland Revenue, the Agriculture and Fisheries Ministry and the Health Department each face about 12 challenges a year. The Social Security Department has 20 to 24 annually. In 1992, Treasury solicitors handled 600 JR cases, 400 of them immigration cases. For 1994, the total exceeded 900 cases, 700 concerning immigration.

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Law Report May 16 1995 Court of Appeal

Lloyd's names can enforce successful claims in chronological priority

Cox v Bankside Members Agency Ltd and Others

Before Sir Thomas Bingham, Master of the Rolls, Lord Justice Peter Gibson and Lord Justice Saville (Judgment May 12)

Plaintiff names, who had established claims in the Lloyd's litigation against agents, who were solvent, or, if they were not, against errors and omissions underwriters, were entitled to enforce claims as and when they were fully proved in accordance with the ordinary rule of chronological priority.

The Court of Appeal so held dismissing an appeal by certain plaintiff names, whose actions were towards the end of the litigation queue, from Mr Justice Phillips (*The Times* January 27) who had determined that claims made against agents, including Bankside Members Agency Ltd and against errors and omissions underwriters under the Third Parties (Rights against Insurers) Act 1930 were to be settled on a first past the post basis and not by application of a principle of rateable allocation.

The Court of Appeal also dismissed a cross-appeal by certain defendant agents from Mr Justice Phillips who had rejected their claim to implied indemnity by the E & O underwriters in respect of

costs and interest incurred as a result of the underwriters' decision to exercise their right under the insurance contract with the agent to defend a claim.

Mr John Martin, QC and Mr Thomas Seymour for the appellants; Mr Geoffrey Vos, QC and Mr Jonathan Galsman, QC for the Bankside Members Agency Ltd and Mr Seward-Daniels, Mr Jeffrey Gruder for the agent defendants; Mr Jonathan Swainston, QC and Mr Michael Swainston for the E & O underwriters.

THE MASTER OF THE ROLLS said that the huge losses suffered by some names at Lloyd's in recent years had become common knowledge. Many blamed their losses on the negligence of their members' and managing agents.

Numerous actions had been started. Some had run their course, leading to judgments for the names. Some were still proceeding to trial. In other cases claims had been initiated but actions had not yet been brought.

The agents so sued had the benefit of E & O insurance cover, obtained either by individual agents or groups of agents. The extent of cover was not known but was generally accepted to be inadequate to indemnify all agents

against claims which had been and might yet be established.

Some agents were already in liquidation others would become insolvent if the claims were made good. Thus the names' best hope of effective compensation in large measure depended on their exercise under the 1930 Act of the agents' right to be indemnified by the E & O underwriters.

It was therefore of acute practical importance to the names to establish the basis on which the funds payable by the E & O underwriters should be allocated.

His Lordship referred to the rival views:

1 That names were entitled to enforce their claims as and when fully proved: known as "first past the post" and resting on the simple principle of chronological priority. 2 That funds available from underwriters to meet claims should be rateably distributed among names who established or hereafter would establish their claims against each agent, or, in the case of a group policy, those agents. The underlying rationale was that chronological priority, particularly where that was not under the sole control of the litigant, should not determine the right to substantial recovery.

It was inherent in the judge's approach that he considered chronological priority to be the

basic rule from which any departure had to be justified. That was plainly correct.

There had to be some good reason for departing from the basic rule that a successful plaintiff was entitled to the fruits of his judgment.

His Lordship referred to and rejected the five possible bases for a scheme of rateable allocation advanced by Mr Martin.

The first rested on the equitable principle that equality was equity. That required that all names who had already established or would hereafter establish claims in negligence against agents should share rateably in the fruits of the agents' limited E & O cover.

It had not been suggested that the maxim had ever been applied in any situation remotely like the present and his Lordship did not think crude application of the principle could displace the ordinary rule of chronological priority.

The second basis was an implied agreement between the insured agents, where a number of assured contributed to the premium for a group policy, that if the policy proceeds in total were less than the aggregate claims covered by the policy, then any group member who received more from the policy than his proportion of claims should contribute the excess

to the other group members, the intention being that the policy moneys should be shared proportionately to the group's liabilities.

In his Lordship's judgment, that proposed rule could not satisfy the ordinary rules for implying terms: namely, that the term contended for must be necessary to give the agreement business efficacy, or must represent the parties' obvious but unarticulated intention.

Had the agents who grouped together to obtain E & O cover envisaged that the limit might prove too low they would have been likely to have contracted for a higher limit.

Their group agreement could, however, work effectively on the basis that the cover would be available to the members of the group unless and until it was exhausted and there was no factual basis for imputing an intention that either any shortfall in cover or any excess applicable to the group should be rateably borne.

The third suggested basis, resting on construction of the 1930 Act, was also unsound. Nothing in the Act nor in any case decided under it provided a shred of support for any scheme of rateable allocation.

The fourth basis rested on the obligation of every name to underwrite only through an underwriting agent, on the obligation of every agent to obtain E & O cover

up to a minimum level and on the fiduciary duties owed by an agent to any name for whom he acted.

Those factors were said to impose on an agent to whom insurance proceeds were paid, or on any name who was indemnified directly by the insurer, a trust to hold such proceeds for the benefit of all names who had established or might hereafter establish claims covered, the upper limit apart, by that E & O policy.

His Lordship rejected the submission that the essential building blocks of a trust, certainty of terms and of beneficiaries and above all a clear intention that property should be held for the benefit of others, were absent.

The fifth and most promising basis was the management plan promulgated by the Commercial Court to provide for the efficient disposal of the Lloyd's litigation.

The plan involved the identification of issues suitable for preliminary determination and the allocation of trial dates to particular cases.

Having assumed the responsibility of programming litigation in that way it was said to be incumbent on the court to ensure that its programme did not become a source of injustice by delivering the fruits of the available E & O cover to those whom it had put at the front of the queue at the expense of those whom it had put at the back.

The machinery for effecting fair allocation, it was said, existed: all judgments, if in favour of plaintiff names, would be ante-dated to the date of the first such judgment under Order 42, rule 3 of the Rules of the Supreme Court: all agents or names receiving the proceeds of E & O insurance from underwriters would be ordered to pay the same to receivers, one for each relevant policy; and receivers would make distribution in accordance with the directions of the court.

In his Lordship's view, it would obviously be unfair on the plaintiff names involved if actions which

had been fully prepared and were ready for trial were shunted into a siding by order of the court while other, slower actions overtook them, if the plaintiff names in the siding were accelerated were so enabled to recover the proceeds of insurance cover which would otherwise have been available to satisfy the claims of plaintiffs whose actions had been retarded.

The same would be true if the court had discouraged plaintiffs from preparing for trial by indicating that other actions, begun later or prosecuted with less vigour, would in any event be tried first.

But that had not, to any significant extent, happened. Preliminary issues appeared to have been identified in the leading, not the following, actions. It appeared, certainly in the case of the leading groups, to have been the leading actions, not the following actions, which had been tried first.

If plaintiffs had been retarded or discouraged, given the general appreciation that insurance recoveries would not extend to cover all claims, his Lordship would have expected those affected to have pressed at the time for a clear ruling on the basis of recovery.

His Lordship accepted that the court had power, generally speaking, to ensure that its procedures did not work injustice.

He saw no difficulty in practice or in principle in minor and small scale procedures directed to avoid anomaly and injustice directly caused by the court's listing of one case before another where there was competition for a date between parties who were equally ready for trial.

But, given the scale and factual diversity of the Lloyd's litigation, it would be at best very difficult and at worst impossible to devise a scheme from scratch which would be operable in practice.

The most difficult problem of all was to be sure what fairness demanded in that extremely complex situation. The ordinary rule of

chronological priority involved obvious hardship for plaintiff names not at the front of the queue.

But there was obvious hardship for plaintiff names if, having obtained favourable judgments at great expense, they were denied the fruits of their judgments, perhaps facing bankruptcy before the judgments could be enforced.

Although it was true that plaintiff names in the leading actions went ahead knowing that no ruling had been given on the basis of recovery and so took the risk of recovery would be denied, it was not unreasonable to have judged that the rule of chronological priority would prevail in the absence of any contrary ruling, and those plaintiffs had taken the financial risk of funding expensive actions.

It was anyway difficult to see how the claims of those at the back of the queue could be at all adequately protected, since it was not suggested that an ad hoc scheme imposed as part of the court's management plan could in any way affect or restrain recovery against the proceeds of insurance cover by those commencing their claims or obtaining arbitration awards.

His Lordship was not on balance persuaded that greater fairness would be achieved by a scheme of rateable allocation along the lines proposed, even if that were feasible, than by application of the ordinary rule of chronological priority.

He was not even persuaded that the court had a sufficiently comprehensive view of the whole complex scene to be able to determine with confidence where the balance of fairness lay. He would uphold the judge's decision.

Lord Justice Peter Gibson and Lord Justice Saville delivered concurring judgments.

Solicitors: S. J. Berwin & Co; Wilde Sapte and Hextall Enslin & Co; Manches & Co; Clyde & Co.

Scots Law Report May 16 1995

Additional evidence not available for the trial

Elliot v HM Advocate

Before the Lord Justice-Clerk (Lord Ross), Lord Cowie, Lord Morison, Lord Morton of Shuna and Lord McCuskey (Judgment March 24)

In an appeal against criminal conviction on the basis of the existence of additional evidence which had not been heard at the trial, it was not sufficient that the appellant had a reasonable excuse for his failure to lead the evidence at the trial: but was necessary that the evidence had not been available and could not reasonably have been made available at the trial.

A full bench of the High Court of Justiciary, sitting as the Court of Criminal Appeal, so held, refusing an appeal by Angus Gordon Elliot against his conviction for murder, fire raising and attempting to defeat the ends of justice.

Section 228(2) of the Criminal Procedure (Scotland) Act 1975, as amended by the Criminal Justice (Scotland) Act 1980, provides, inter alia:

"A person may bring under review of the High Court any alleged miscarriage of justice in the proceedings in which he was convicted, including any alleged miscarriage of justice on the basis of the existence and significance of

additional evidence which was not heard at the trial and which was not available and could not reasonably have been made available at the trial."

Mr Graham Bell, QC and Mr Paul McBride for the appellant; Lord Rodger of Earlsferry, QC, Her Majesty's Advocate, for the Crown.

THE LORD JUSTICE-CLERK said that in the recent decision in *Church v HM Advocate* (February 10, 1993) the Lord Justice-General, sitting with Lord Allanbridge and Lord Brand, had decided that the court was entitled to entertain an appeal where new evidence was sought to be led even though it was not evidence which had not been available and could not reasonably have been made available at the trial.

In effect the court had decided that section 228(2) was wide enough to enable the court to hear additional evidence provided that there was a reasonable explanation for the appellant's failure to lead it at the trial.

In so holding the court in *Church* had been disagreeing with the law as laid down in a number of cases including *Salisbury-Hughes v HM Advocate* (1987 SCCR 39).

In those circumstances, with all

respect to the judges who had sat in *Church*, his Lordship was of the opinion that the case should have been remitted to a full bench. Cases such as *Salisbury-Hughes* had been binding upon them.

It was well established in the High Court that a quorum of the court was bound by a previous decision of a court of equal number: see *Stair Memorial Encyclopaedia* (vol 22, para 308); *MA v Cameron*, (1917 JC 1); *Ritchie v Pirie* (1972 JC 7). All three judges in *Church* had been members of courts which had in the past supported the construction set out in *Salisbury-Hughes*: see *Williamson v HM Advocate* (1988 SCCR 56); *Brodie v HM Advocate* (1993 SCCR 371); *McCormack v HM Advocate* (1993 SCCR 581); *Ralton v HM Advocate* (1994 SLT 521).

With all respect to those judges, they did not appear to his Lordship to have explained in *Church* why they had altered the views which they had previously expressed.

The critical question was whether the conclusion in *Church* was soundly based.

With all respect to the judges in *Church*, his Lordship did not understand how they had come to apply "a reasonable explanation"

"A construction which would leave without effect any part of the language of a statute will normally be rejected" (*Maxwell, Interpretation of Statutes* (12th edition (1969) p36).

"It is not however competent to a judge to modify the language of an Act of Parliament in order to bring it into accordance with his own views of what is right or reasonable." (*Cruick, Statute Law* (7th edition (1971) p91).

In 1972 the Thomson Committee on Criminal Appeals had recommended an alteration to the legislation which would have made it a requirement for the leading of additional evidence that there was a reasonable explanation for the failure to adduce it (Cmd 5038). However, Parliament had not accepted that recommendation; instead they had enacted section 228(2).

Parliament had thus made it clear that additional evidence could only be adduced if it had not been available and could not reasonably have been made available at the trial. That appeared to his Lordship to be the plain import of the language which Parliament had used.

With all respect to the judges in *Church*, his Lordship did not understand how they had come to apply "a reasonable explanation"

test. The had given no explanation as to why that test had been adopted.

The effect was to give the test laid down in the second part of section 228(2) no content. To that extent, his Lordship moved the court to disapprove of *Church*.

His Lordship was aware that in recent years there had been criticism of the approach which the court had taken towards the leading of additional evidence in such appeals.

However, it was Parliament and not the court which had imposed restrictions upon the leading of additional evidence.

The matter was being reviewed by an independent committee appointed by the government. It might be that the committee would propose changes to the terms of section 228(2), but unless and until they did so, the court was required to apply the terms of that subsection as it was presently enacted.

If any change was to be made to the provisions of the Act, that was a matter for Parliament and not for the court.

Lord Cowie, Lord Morison, Lord Morton of Shuna and Lord McCuskey delivering concurring opinions.

Law agents: More & Co. Crown Agent.

Broker's duty to retain slips

Grace v Leslie & Godwin Financial Services Ltd

Before Mr Justice Clarke (Judgment May 1)

An insurance broker had a duty to retain sufficient information to enable a claim to be made and that information should be retained by him for as long as he was in a position to collect claims when called upon to do so.

Mr Justice Clarke so held in the Commercial Court of the Queen's Bench Division in a reserved judgment when finding the defendants, Leslie & Godwin Financial Services Ltd, the plaintiffs' brokers in reinsuring part of their liability to Sturge Syndicates, liable in breach of contract in failing to retain the relevant policy slips. The plaintiff, Mr Brian S. Grace, represented members of Syndicate 964 at Lloyd's.

Mr Adam Fenton for the plaintiff; Mr Jeffrey Gruder for the defendants.

MR JUSTICE CLARKE said that the plaintiffs claimed against the defendants in breach of duty both in contract and tort.

In issue between the parties was the broker's duty to retain documents so as to be in a position to collect claims when called upon to do so.

The evidence showed clearly that Lloyd's brokers were under a duty to collect claims when called upon to do so; but the question for the court was whether the broker was under a duty to retain any, and if so what, documents, and for how long.

His Lordship added that the broker's duty to retain information was not an absolute duty requiring the broker to retain information

for ever, but a duty to exercise reasonable skill and care.

Where the broker held the policy, which was his principal property, he did so as bailee and as such he owed his principal a duty not to destroy it without obtaining his principal's instructions. In the instant case, the duty related to the slip.

His Lordship said that in the instant case the time never came when the defendants could have destroyed the slips in question (the slips had in fact been lost, because a reasonable broker would throughout the relevant period have regarded a claim as possible).

Having held the defendants liable in breach of contract, no separate consideration was given to the issue of tort.

Solicitors: Clyde & Co; Cameron Markby Hewitt.

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Judicial Appointments
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Chemistry between manager and coach the key to season of triumph at Ewood Park

Dalglish lights up after Blackburn fulfil title dreams

They came down the hills, passed the old mills and the tightly-packed terraced housing, to Ewood Park in their thousands last night. Only the stadium is new; the surrounds are as they were when Blackburn Rovers last ruled English football, in 1914, and the people were on foot. The scene was reminiscent of a Lowry painting, and those Blackburnites who came to the stadium were walking in the footsteps and on the memories of their grandfathers and great-grandfathers.

Peering out from the stadium, watching them come, were the new heroes: Shearer, Flowers and Hendry, the backbone of the championship team, men of substance and not merely football players. They were recruited to the town by the money of Jack Walker but his most important signing, the one that gave credence to the whole improbable dream was the hiring of Kenny Dalglish.

And he, this supposedly taciturn Glaswegian who has seen it all before, who had won five championships with Celtic and eight with Liverpool, had shown a more human face to his personality than that which is regularly caricatured.

When did we ever see such an explosion of joy, an overt expression of pride in Kenneth Mathieson Dalglish than in Liverpool, his spiritual home, the moment the title was won on Sunday?

Seconds before that moment, his emotions had been closed, shuttered like a window. He stood almost Ramsey-like, face dour and undernourished, while listening to someone telling him that Manchester United had failed in London to wrest the championship from them. He paused, waited until the information was confirmed, and



Rob Hughes tries to uncover the secrets behind the success of the new Premiership champions

then literally danced among members of his bench. There was Tony Parkes, the trainer whom Dalglish had kept on the staff, the link with the Blackburn he inherited. There was a special, lingering embrace with Ray Harford, the coach, and the mastermind of the Blackburn tactics, a quiet, embarrassed, but also proud man whom Dalglish himself had enticed to be his assistant at Ewood.

And then there was something else. Dalglish had only a few more paces to make and then he was in the embrace of Roy Evans, the manager of Liverpool. Then it was Ronnie Moran, the sergeant major

Kenny Dalglish? Can this be the man of a thousand press conferences, the man of the blank stare, the refusal to answer commonplace questions, the spokesman who at times craved all of the joy of touché?

When Dalglish won his titles as a manager for Liverpool, he was merely carrying on the tradition at that club. He knew, intimately, every secret and every human touch that made the place tick. The formula was laid down by Shankly and the likes of Bob Paisley, Joe Fagan, then Evans and Moran were around Dalglish to prompt and remind him of how to continue the succession. It was a legacy that could, with care, run itself. But it could also be broken, as Dalglish's successor, Graeme Souness, was to prove. For, Dalglish, though, the lure of Blackburn Rovers offered a greater challenge by far.

There was nothing there but a deep pit of history, a deep pot of Walker and steel money and an empty canvas on which to paint. Only three players — Wilcox, Atkins and Mimmis — remain from the pre-Dalglish days. He has had no trouble spending the millions, and Sunday's team contained players purchased at £18.3 million.

There are some who say that the chemistry that has worked Blackburn's miracle has as much to do with Harford, the team blender, as with Dalglish, the motivator and buyer. There are reports that Harford would like to be his own man, to manage away from the shadow of the celebrated Scot.



A rare display of emotion from Dalglish as news of Blackburn's first title for 81 years is confirmed

Yet the challenge ahead, the road to Europe, as well as the salary Walker pays may keep the partnership in harness. Besides, it is Dalglish who has joined the company of two — Herbert Chapman and Brian Clough — the only other men to have won England's championship with more than one

club. It is Dalglish, the son of a diesel engineer, who had the humility and the knowledge to invite Harford as his aide. Moreover, Dalglish, when he left school at 15, had a brief apprenticeship in carpentry. From that he learnt to shape things the way his eye saw them, and when you enquire

beyond the fact that it is Harford who trains the players and Dalglish who plays among them, you appreciate where his specific knowledge lies. Intelligent players such as Stuart Ripley talk of a certain liberty within the Harford system, they talk of Dalglish

passing on "little tips". They are, as players tend to be inspired by a man who was himself a player, and achiever, par excellence. And as the thousands came down the hills last night, some of them, too, instinctively chanted: "Dalglish! Dalglish!"

Italian job may prove taxing for Sampras

THE start of Pete Sampras's rehearsal for the French Open tennis championship should be conveniently reassuring (Stuart Jones writes). However, as he attempts to refine his clay-court game in Rome this week before challenging for the only grand slam championship to have eluded him, the opposition promises to be ever more daunting.

A semi-finalist in Hamburg last week, he has ranged against him in the top half of the draw almost all of those who will be considered the leading contenders in Paris. One notable exception is Andre Agassi, who has chosen to complete his preparations at home in Las Vegas.

Assuming that Sampras reaches the quarter-finals, he can expect to face either Sergi Bruguera, the No 8 seed, or Jim Courier, ranked nine.

Williams injured

Rugby union: South Africa have lost one of their leading players, Chester Williams, in advance of the World Cup, which begins in their country on May 25. Williams, the Western Province wing, withdrew yesterday because of a hamstring injury and his place goes to Pieter Hendriks, of Transvaal. Williams, 24, was the only coloured player in the squad.

Slip for Graf

Tennis: Arantxa Sánchez Vicario reclaimed her place as No 1 yesterday before she had struck a ball at the German Open. She overtook Steffi Graf at the top of the rankings and, following Graf's withdrawal from the German tournament, as top seed in Berlin.

England trail

Hockey: With Australia winning 4-0 in Adelaide yesterday, England need to win the next three international matches to square the series. Australia scored all their goals in 23 minutes. The teams meet again tomorrow.

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The Times and The Tussauds Group are offering readers the chance to take a child free to any one of the eight Tussauds attractions.

As well as Madame Tussaud's, in London, the offer includes Alton Towers, Chessington World of Adventures, Warwick Castle, The London Planetarium, Rock Circus, Scenerama in Amsterdam and the new £300 million Port Aventura theme park in Spain.

Readers can visit these attractions throughout June and July, saving up to £15 on one visit and more if more than one attraction is visited.

PORT AVENTURA
Port Aventura, at Salou on Spain's Costa Dorada coast, covers 285 acres and is based on five themed lands, from Mediterranean, a typical Mediterranean village, to America's Far West plus China, Mexico and Polynesia. The main lure is Dragon Khan, which turns riders upside down eight times during the three-minute ride at up to 70 miles per hour. It is claimed to have the world's tallest loop — the height of an eight-storey building. The park has another high-speed rollercoaster, El Diablo, as well as three water rides. Air-conditioned theatres offer up to ten different live shows each day.

Port Aventura
Autovia Salou Villa-seca, 43480 Villa-seca, Tarragona. Telephone: 0171 231 5432. 10am-8pm. 10am-midnight (high season). Admission: Adult £19. Child (under 13) £15.

ALTON TOWERS
The Staffordshire theme park lures more than three million people each year with its combination of thrill rides and country house gardens. It has 125 rides and attractions.

Alton Towers' rollercoaster Nemesis, opened last summer, takes riders on the outside of the loop as they experience about four seconds of weightlessness. Thunder Loop can go from 0 to 60 miles an hour in 2.3 seconds, half a second faster than a McLaren Formula 1 racing car, while Corkscrew subjects riders to up to three times the force of gravity as they go through two 360-degree loops.

New is the Energizer, which gives riders the experience of being in a Force 9 gale. Alton Towers North Staffordshire. Telephone: 01538 702200. 9am-6.30pm. June 9am-8pm (weekends) July 9am-8pm. Admission: Adult £16.50. Child (under 14) £12.50. North: M1-Junct 23A; M6-Junct 15. South: M1-Junct 28; M6-Junct 16.



CHESSINGTON WORLD OF ADVENTURES
Chessington's themed areas include the Forbidden Kingdom, Transylvania (pictured), the Mystic East and Calamity Canyon. Top rollercoaster is the Vampire ride in Transylvania which mimics the flight of a bat as it flies above the rooftops and dives underground. Opening next month is the terrifying Ramesses Revenge, with a three-way fear factor of height, speed and water. Also

new is the Seastorm, a ride around an ancient shipwreck. Rare and endangered animals such as snow leopards and Sumatran tigers, can be seen in landscaped enclosures reflecting their natural habitat. Chessington World of Adventures. Chessington, Surrey. Telephone: 01372 727227. 10am-5.6pm. July 1 10am-9.30pm. Admission: Adult £14.50. Child (Under 15) £11.50. 12 miles from London

on A243, 2 miles from A3 and M25 Junct 9.

ROCK CIRCUS
Rock Circus, in the heart of London, takes visitors through pop and rock from the 1950s to the present day using life-like figures and memorabilia. Audio-animatronic technology is used to make many of the most famous names move, talk and sing in time with their music. The Music Revolution Theatre, the

largest revolving auditorium in Europe, is possibly the only place where you can see the Beatles, Bob Dylan, Bruce Springsteen and David Bowie "perform" together. Rock Circus. London Pavilion, 1 Piccadilly Circus, W1. Telephone: 0171 734 8025. 11am to 9pm. Admission: Adult £7.50. Child (under 16) £5.50. Underground station: Piccadilly Circus or Leicester Square.

WARWICK CASTLE
The English Tourist Board's 1994 Visitor Attraction of the Year, Warwick Castle has an outstanding collection of furnishings, paintings, tapestries and armour displayed, including many of the personal belongings of Elizabeth I, Marie Antoinette and Oliver Cromwell (including his death mask).

The latest attraction is Kingmaker — a preparation for battle, based on the Wars of the Roses, which features a combination of realistic scenes, wax figures, sounds, smells and special effects. There are special events in the gardens and grounds, such as the medieval weekend on June 24/25 which includes jousting and falconry. Warwick Castle. Warwick. Telephone: 01926 408000. 10am to 6pm. Admission: Adult £8.25. Child (under 17) £4.95. Junct 15 of the M40.

Show times: 10.20 to 5pm (30 minutes). Admission: Adult £4.75. Child (under 16) no under 5s) £2.95. Underground station: Baker Street.

MADAME TUSSAUD SCENERAMA
Located on Dam Square in the heart of Amsterdam, Scenerama celebrates the city during Holland's Golden Age. Themes of everyday life, some based on the works of old Dutch masters such as Rembrandt and Vermeer, are enhanced with special effects. Madame Tussaud Scenerama. Dam 20, Amsterdam. Telephone: 003120 6229239. 10am-5.30pm. July 9.30am-7.30pm. Admission: Adult £6.50. Child (under 15) £4.65.

MADAME TUSSAUD'S
Madame Tussaud's has recently added new attractions including the £10 million Spirit of London "dark ride" featuring 400 years of history viewed from the back of a taxi. More themed areas join the Chamber of Horrors. Hollywood Legends brings together film stars of the 1950s with modern cinema heroes in The Garden Party. Mansell rubs shoulders with Schwarzenegger. Lumley with Depardieu. Madame Tussauds. Marylebone Road NW1. Telephone: 0171 935 6861. 9am to 5.30pm. Admission: Adult £8.35. Child (under 16) £5.25. Underground station: Baker Street.

LONDON PLANETARIUM
The London Planetarium reopens on June 21 after a £4.5 million refit which sees the famous Zeiss twin-globe projector replaced by a new projector called Digistar Two. New theatre-style seating replaces the old circular seat layout to give a better view. New computer software is used to show even more detailed star charts and three-dimensional images. London Planetarium. Marylebone Road NW1. Telephone: 0171 486 1121.

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THE TIMES
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TOKEN TWO

Sussex lack strength to take up the chase

BY ALAN LEE, CRICKET CORRESPONDENT

SWANSEA (final day of four): Glamorgan (5pts) drew with Sussex (4)

SUSSEX retreated timidly from a challenge to their will and nerve yesterday. Perhaps protective of a long tail, assuredly reluctant to concede too much ground to the early pace-setters in the Britannia Assurance county championship, they turned their backs on the pursuit of 287 to beat Glamorgan with 51 wanted from the last seven overs and five wickets still standing.

An hour earlier, with their first-wicket pair of Bill Athey and Jamie Hall still together and the target down to 122 from 24 overs, an unlikely victory was apparently theirs for the taking. But Sussex have long depended on Alan

end. Hugh Morris judged a difficult declaration shrewdly, though he might have been avoiding eye contact with his team-mates when Sussex cruised to 165 for no wicket. There was, however, always something in the pitch and the required run-rate became ever more searching as new batsmen struggled to adjust.

If the morning was essentially positional, it was not by contrivance. Sussex gave away nothing, mercifully resisting any temptation to revive the bad old days of joke bowling in search of a favourable target. Ed Giddins operated with no rest and little luck for 17 overs unchanged at the Sea End.

He did take one wicket, Adrian Dale offering no stroke to an inswinger, but the serious incisions were made by Franklyn Stephenson. Some of his deliveries, pitching on the right-handers' off stump and beating it, won admiring shrugs of disbelief.

Between innings, there was some fine strokeplay from Maynard and especially from Croft. The pair of them put on 101 in 19 overs and Croft was undefeated on 52 when Morris declared five overs into the afternoon session.

Steve Wadkin, Glamorgan's likeliest match-winner, was soon shaking his head perplexed as Athey and Hall played him unerringly, save for a chance to second slip when Athey was 14. Hamish Anthony's first spell was profligate and both batsmen used their feet confidently when the spinners came on.

It seemed they could be parted only by a run-out and so they were, Dale pivoting to throw out Hall at the non-striker's end. Wells's expression when he chipped his second ball from Dale to mid-wicket said everything necessary about the importance of his innings and, once Athey's measured 92 ended in a return catch off the leading edge, and Stephenson's fling was bold but brief, Sussex contentiously preferred to be discreet in stalemate than disheartened in defeat. Until their batting is stronger, and they begin to believe in it, they will never be champions.

Photograph: page 48



Russell appeals as Pick falls leg-before to Ball for nought at Bristol yesterday

Durham lacking resolve

BY MICHAEL HENDERSON

THE OVAL (final day of four): Surrey (24pts) beat Durham (3) by an innings and 159 runs

DAVID GRAVENEY was here yesterday, in his new role as a Test selector, and he will have learnt little. His old county was whipped mercilessly, as they had been in their last championship fixture at Old Trafford, where they return today for the final Benson and Hedges Cup group tie. Suddenly the season looks a lot longer.

When they return home on Thursday it is for a game all Durham has awaited, the first championship match at the new Riverside Ground in Chester-le-Street. That is the best place for them to start afresh. The opponents are Warwickshire, the county champions, and Durham have plenty to atone for. On this form they are not giving the others a decent contest.

They won the toss here and still went down by 159 runs, managing only to carry the

game into the final session before their palsied performance came to an end. Batting was not difficult. Ligertwood and Brown proved that by adding 50 for the ninth wicket. There was little resolve, and there were some awful strokes.

Beginning the day on 56 for two, Durham's mission was straightforward: to bat through. Larkins and Daley had both gone by lunch and the afternoon session was a procession of mediocrity. Batting of this feebleness weakens a team's collective identity and adds a further layer of doubt to the captain's already onerous burden.

Larkins, to be fair, got a good ball. Bicknell had him groping at one that ran away and Kersey moved smartly to hold a fine catch, one of five in the innings. Daley was within a single of a second fifty in the match when he drove Nowell, the left-arm spinner, uppishly and brainlessly to mid-off. Bicknell struck again immed-

ately after lunch, when Saxelby was taken at the wicket, but he then left the game with that old favourite, "a hamstring niggles". The older this gifted cricketer gets, the more difficult it will be to make anything of a once promising career.

Nowell, at 19, has time on his side and it does help to be in the wickets, particularly when you do not bowl especially well. Quite what Prabhakar thought he was doing, kicking away a ball that straightened, he alone knows, but he had no business looking back at his wicket as if to doubt the umpire's decision.

After that late stand between Brown and Ligertwood, Holloake rounded things off. Two questions remain: when did five new bowlers go for more than 100 runs in an innings, as Durham's did here? And why does Holloake wrap sunglasses round his head on an overcast day?

Russell's forceful approach paves way for victory

BY PAT GIBSON

BRISTOL (final day of four): Gloucestershire (23pts) beat Nottinghamshire (4) by 134 runs

THE new spirit in Gloucestershire's cricket was emphasised yesterday when they bowled out Nottinghamshire with 144 overs to spare to record their first championship victory of the season. It was a performance worthy of a bigger audience than the handful of spectators scattered around the wide open spaces of the County Ground.

Much of the credit goes to their new captain, Jack Russell, who was asking a lot of his bowlers when he challenged Nottinghamshire to score 277 to win off 54 overs on a pitch which had yielded 876 runs for 15 wickets in the previous 24 days.

They did him proud. There was no Courtney Walsh, of course, and his replacement, Javagal Srinath, was struggling with a shoulder injury, but Mike Smith and Martyn Ball made up for that by destroying Nottinghamshire with their swing and spin.

Smith, an underrated left-arm bowler who can move the ball around as much as anyone, made the early inroads and finished with four for 51, while Ball, an improving off-spinner, worked his way through the middle order to return five for 49.

They were helped by an inept Nottinghamshire display. Already without Pollard, Lewis and Noon, they were further handicapped by injuries of one sort or another to Robinson, Dowman, Archer, Johnson and Cairns. But all of that could not excuse their lack of application in far-from-difficult conditions.

Only Johnson, who was characteristically taking the fight to Gloucestershire when he missed a drive against Ball and was stumped, Evans, who resisted for 18 overs, and Pennett, who remained unbeaten after 17 overs, could be exonerated from an exhibition which does not augur well for those who fancied them for the championship.

Not that this was of any concern to Russell. "I don't think there is a team in the country which is working harder than we are. Our three new players, Srinath, Monte Lynch and Andrew Symonds, have lifted the side and everybody has responded. We now believe that we can beat anybody."

YESTERDAY'S SCOREBOARDS

Britannia Assurance county championship

Glamorgan v Sussex

SWANSEA (final day of four): Glamorgan (5pts) drew with Sussex (4)

GLAMORGAN: First innings 212 & 8-4

GLAMORGAN: First innings 212 & 8-4

GLAMORGAN: First innings 212 & 8-4

GLAMORGAN: First innings 212 & 8-4

GLAMORGAN: First innings 212 & 8-4

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LEGAL & PUBLIC NOTICES

0171-782 7344

PUBLIC NOTICES

Notice of appointment of Administrative Receiver

TYNNE CONSTRUCTION PLC

Registered number 1203722

Nature of business construction

Trade classification

Date of appointment of Administrative Receiver 9 May 1995

Name of person appointing the Administrative Receiver

Names of Administrative Receiver

Office of Administrative Receiver

Office of Administrative Receiver

Office of Administrative Receiver

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YACHTING 46

AMERICA'S CUP
FINALLY PUT BACK
ON AN EVEN KEEL

Manager departs after relegation

Smith agrees to take his leave of Palace

By ALYSON RUDD

THE FA Carling Premiership campaign ended as it had begun, with another manager out of a job. Back in August, Billy Bonds parted company with West Ham United and yesterday, Alan Smith, another likeable manager, left Crystal Palace.

Smith's departure was due more to his open character than in spite of it. Of all the 11 Premiership managerial casualties this season, this was the most expected but the most painfully slow to unfold.

Smith spent his first season in charge of a Premiership side saying exactly what he thought about whatever he deemed important, even if that meant criticism of his players or of his chairman. Perhaps Ron Noades, the Palace chairman, could have indulged a talkative, controversial character had the South London club avoided relegation.

Unfortunately for Smith, Palace spent most of the season flirting with an immediate return to the Endleigh Insurance League first division, their opening game at home against Liverpool ending in a 6-1 slap across his players' young, naive faces. They took eight games to register their first win, then went 815 minutes without a league goal.

The relative inexperience and youth of his team was a constant theme whenever Smith ventured to explain poor results. He was unfortunate, having signed Ray Wilkins to add maturity and direction to his squad, that Wilkins, now the Queens Park Rangers manager, should be sidelined through injury almost immediately.

Smith managed to attract Ray Houghton, the Ireland international, to Selhurst Park, but frequently complained that the former Aston Villa midfielder's arrival

had come too late to rescue his side's season.

Smith's concern for his fledglings gradually turned into parental despair. He publicly criticised Chris Armstrong and John Salako for failing to show commitment and occasionally dismissed practically an entire side for strutting in their own reputations instead of making them.

But it was Armstrong's disappointing season that really hurt Smith. Offers approaching £5 million were made for the forward early in the campaign but Smith chose to fend



Smith: outspoken

them off, a decision that cost him a large chunk of his reputation with Noades as well as the opportunity to finance the strengthening of his team. The discovery that Armstrong failed a random drugs test, having taken cannabis, only served to fuel Smith's despair and Noades's critical stand on the way Smith handled the media.

As the season wore on, the relationship between Noades and Smith became riven with petty disagreements about salaries and responsibility. Noades took to the airwaves

on Radio 5 Live last week to warn anyone who needed, at that late stage, to be alerted that Smith's days were numbered. "I don't know of any manager who goes into print to criticise his chairman and stays in his job," Noades said. All Smith was ultimately able to demand during a meeting with Noades yesterday was a respectable parting of the ways and this he achieved, the club last night issuing a statement saying that: "It has been mutually agreed that the club and manager should go their separate ways. The club is deeply appreciative of Alan's work and commitment during the period of time that he has worked for Crystal Palace and wish him every success in the future."

Despite confirmation of Palace's relegation after the 3-2 defeat by Newcastle on Sunday, it was not an entirely wasted season. Palace took Manchester United to a replay in the semi-final of the FA Cup and they pushed Liverpool all the way in the two legs of their Coca-Cola Cup semi-final. Had his players been so energetic and confident in front of goal in the league as in cup competitions, Smith and Noades might today be planning a summer holiday together.

As it is, Noades is searching for a replacement. The youth team coach, Peter Nicholas, has been the favourite to take over for some weeks. However, it is possible that Steve Coppell, under whom Smith served as assistant manager, will return to the club. Coppell has made it clear he has missed football management since his resignation after Palace were relegated two years ago.

"Don't become a manager," Smith, who played for Brentford and enjoyed managerial success with Dulwich Hamlet before joining Palace, was warning anyone who would listen a few weeks ago. But it was always clear that, despite his problems, he loved almost every minute and will be back.



Moore, the Sussex wicketkeeper, narrowly fails to run out Maynard, of Glamorgan, in the intriguing draw at Swansea yesterday. Report, page 44

Crawley extends Lancashire's run

By IVO TENNANT

OLD TRAFFORD (final day of four): Lancashire (23pts) beat Warwickshire (5) by six wickets

PLAYED eight, won eight. It is necessary to trawl through the record books of the 1930s to find out when Lancashire's cricketers had anything like that kind of a start to a season. Needing 150 to beat the county champions yesterday, they won with wickets in reserve and sinews intact.

That record encompasses different forms of the game: four victories in the Benson & Hedges Cup, two on Sundays and, most important, two in succession in the county championship. For too long Lancashire have been regarded, not least by themselves, as predominantly a one-day side. This victory would suggest that is no longer so. It was not the spinners who

brought about this success, but the new ball. The scorecard indicates how top-heavy Warwickshire's innings became. From 168 without loss on Saturday, they should have done better than to be dismissed for 297.

The pitch remained slow and of low bounce. The Warwickshire nightwatchman, Davis, looked competent enough to continue in that role all season — until Martin and Chapple took the new ball. He was fourth out, on 266, and at the same score, Penney was taken at short leg for nought.

There followed the crucial wicket of Ostler, a batsman in form. He had made 50 from 102 balls, mostly with some refinement, when he was bowled by one Chapple nipped back at him. It was a ball that was indicative of why he is thought of as Lancashire's most promising fast bowler since Brian Statham. Interestingly, Wasim

	P	W	L	D	B	BI	Pts
Northants (5)	3	2	1	0	10	12	54
Glamorgan (18)	3	2	0	1	8	12	52
Warwickshire (1)	3	2	1	0	8	11	51
Middlesex (4)	3	2	1	0	5	12	49
Surrey (7)	3	2	1	0	7	9	48
Lancashire (10)	2	2	0	0	7	8	47
Yorkshire (14)	2	2	0	0	3	8	43
Kent (9)	3	1	2	0	12	10	38
Gloucestershire (12)	3	1	1	1	12	8	36
Derbyshire (17)	3	1	2	0	7	12	35
Essex (6)	2	1	1	0	8	8	32
Leicestershire (2)	3	1	2	0	5	9	30
Sussex (8)	3	1	1	1	3	9	28
Durham (16)	3	1	2	0	3	9	28
Nottingham (3)	2	1	1	0	4	5	25
Somerset (11)	3	0	2	1	6	11	17
Worcestershire (15)	2	0	2	0	2	8	10
Hampshire (13)	2	0	2	0	0	8	8

(Last year's positions in brackets)

Akram was not given the new ball. He had had an initial short spell that had been ineffectual in terms of wickets and yet he had been back. The credit goes to Watkinson for a captaincy decision that worked remarkably well.

After that, wickets fell inexorably. Paul Smith threw the bat at an outswinger from Martin and was caught behind. Burns shuffled across his stumps and was leg before, and Neil Smith was bowled by another one that cut back. Martin finished with four wickets, Chapple three.

Lancashire had no shortage of time in which to make their runs. Atherton stroked the ball neatly off his legs, if for all too brief a while. Gallian was taken at the wicket off Paul Smith, a lifting, seaming ball that was as good as any we saw all day, and when Speak rashly drove Davis to mid-on, 63 were still required.

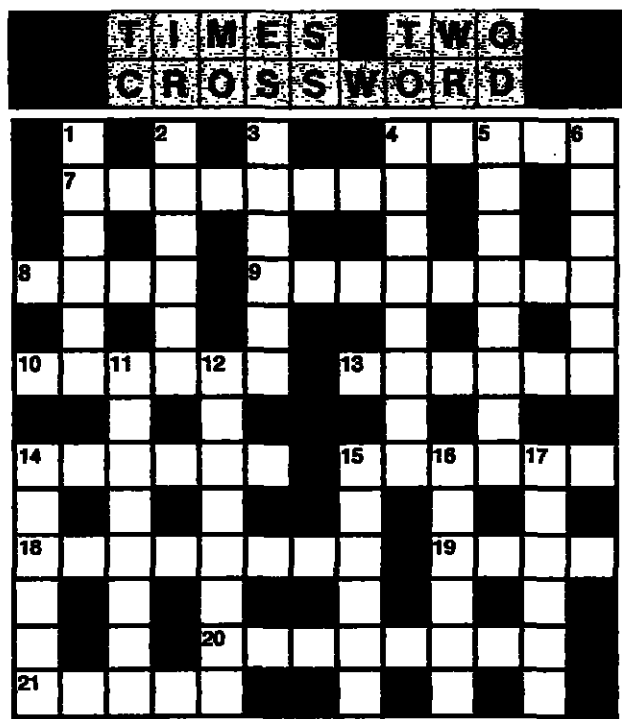
At this point, Watkinson, mindful that the pitch was wearing, kept himself, Wasim Akram and Fairbrother (who had pulled a muscle in the course of his century on Friday) back in the order in case the surface deteriorated further. Those three are all better

players of spin than Chapple, who was sent in next.

That he was soon out to a sharp catch in the slips by Ostler did not ultimately matter, for Crawley was batting with much conviction at the other end. We have heard of how he is an altogether more resolute performer for having toured Australia; he spoke yesterday of how Lancashire felt that, for the time being, they cannot countenance losing any match.

In partnership with Watkinson, Crawley brought about victory. His half century, which came from 75 balls and included four fours, was especially notable for his determination to use his feet when facing Davis. This is the best balanced Lancashire side since — well, conceivably since they last won the championship outright, 37 years before Crawley was born.

Sussex denied, page 44



No 471

ACROSS

- 4 Fertile spot in desert (5)
- 7 Drink before meal (8)
- 8 Wrench: stack (4)
- 9 Interpret: translate word for word (8)
- 10 Activities: what'sis (6)
- 11 Donated-prizes lottery (6)
- 12 Medicinal drink (6)
- 13 Riches, abundance (6)
- 14 A galosh (8)
- 15 Difficult (order) (4)
- 20 Amendment: rereading for exam (8)
- 21 Save (3,2): stopping area beside road (3-2)

DOWN

- 1 Gambling house (6)
- 2 Summon by gesture (6)
- 3 Plate for throwing (6)
- 4 Out of audience's sight (3-5)
- 5 Contemptuous (8)
- 6 Withdraw from pact (6)
- 11 Causing obstruction (2,3,3)
- 12 Word list with explanations (8)
- 14 Drive forward (6)
- 15 Beetle pest (6)
- 16 Achieve, reach (6)
- 17 Skill: ancient coin (6)

SOLUTION TO NO 470

- ACROSS: 1 Sitting duck 8 Mimic 9 Appease 10 Ally
11 Sparkler 13 Figaro 14 Queasy 17 Rush hour 19 Calm
22 Spanula 23 Urman 24 Piece of cake
- DOWN: 1 Samoa 2 Time-lag 3 Inca 4 Grappa 5 Upper-cut 6 Kraal 7 Defray 12 Archduke 13 Forest
15 Anaemia 16 Curare 18 Stamp 20 Mince 21 Gull

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Blackburn's party in full swing

By PETER BALL

THE news that they will have to play their first European Cup tie before the start of the Premiership season did not spoil Blackburn Rovers' championship celebrations yesterday. By 5pm, the party at Ewood Park was already in full swing, with the ground surrounded by queues.

At that stage, the supporters still had an hour and a half to wait before the gates were opened and the festivities began in earnest. Before that, the mayor was due to perform the civic recognition of the club's first championship for 81 years.

Many of the supporters present yesterday had not been around eight years ago, let alone 81, but the delight in Blackburn was palpable. "I'm so proud — this turnout means

so much to me," Jack Walker, the club's benefactor, said. "You dream about things and to see the whole town of Blackburn here at Ewood Park means you can see we got this dream right. They are lining the streets for miles."

Blackburn's victory was hugely popular, the telegram from Burnley, their great rivals, being one of the first to arrive. United sent a fax, reading: "Keep it warm, we want it back next year."

Blackburn, however, have no intention of handing it back, Walker insisting that, by winning it this year, they were ahead of plans. That point was picked up by Alan Shearer, for a long time Walker's most expensive acquisition, and the key player in their success. "We are a year ahead of schedule. Who knows what can happen next?"

Shearer's partner, Chris Sutton, was one of several players to pay tribute to the contribution Walker has made. "It's been a bit nerve-racking because we knew Jack wanted to win this so badly," Sutton said. "If we had lost the title I couldn't have looked him in the eye. He would have been distraught. I think every one of us wanted to win it for him as well as ourselves."

But if the knowledge that they will have to qualify for the European Champions' League, by playing a two-leg preliminary-round tie on August 9 and 23, did not spoil the party last night, it is bound to lead to sober reflection in the

Dalglish's delight 43

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Unhappy Mansell nearing last lap

Oliver Holt on the indications that the former Formula One champion is close to retirement

THE clues are only in the slightest of hints and the subtlest nuances, rather than statements of disaffection or discord, but it has begun to appear as though Nigel Mansell's much heralded return to Formula One motor racing may be abandoned before this season reaches its halfway stage.

Mansell retired from the Spanish Grand Prix on Sunday after only 18 laps because he was so alarmed by the handling of his McLaren-Mercedes. Both McLaren and representatives of Mansell insisted yesterday that no announcement on his future was imminent. But the 1992 world champion evaded questions at the weekend over whether he would still be with the team by the end of the season and the prospect of a retirement that

may be final this time came more sharply into focus.

Rumours swept the paddock all weekend that he would retire after a last hurrah in the British Grand Prix at Silverstone on July 16 and they gained credence when it emerged that Mark Blundell, a likely replacement and McLaren's official test driver, had received a sudden request at the weekend to test for the team in Barcelona later this week.

Mansell's season appears to be going from bad to worse. It began farcically with the design error cramping him in the cockpit and forcing him to miss the first two races. A new

car was built for him at a cost of almost £1 million but he could only finish tenth in his first race at Imola a fortnight ago and was out of touch with the leaders again last Sunday.

He cannot test the car to improve it because the wider-bodied chassis he needs are still being built. Hopes of a challenge for the championship have disappeared and the first signs of strain in the relationship with Ron Dennis, the team's managing director, are showing.

Dennis, pointing out that Mika Hakkinen, Mansell's team-mate, had been reasonably competitive until he had been forced to retire with a

fuel pressure problem late in the race on Sunday, made it clear that the decision to curtail Mansell's afternoon had not been his. "Nigel had handling problems and chose not to continue," he said.

At this stage of his career, with so many achievements behind him and approaching 42, a long, hard slog to try to improve the car may not be an attractive proposition for Mansell. His comments after the race did little to quieten the rumours that he was growing increasingly unhappy.

"I was not going to have an accident out there and that is why I came in," he said. "I am just hoping we make a big step forward because you have got to be able to trust the car. At the moment, the bottom line is that you cannot."

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